

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.14346 OF 2002

ORDER (ORAL):

This Writ Petition has been filed seeking Writ of *Certiorari* calling for the records in I.D. No.152 of 1999 and consequently to set aside the award dated 04.12.2001 passed therein by the Labour Court, Visakhapatnam,

2. Heard Sri A. Srinivasa Sarma, learned counsel for the petitioner, and Sri K. Subrahmanyam, learned counsel for respondent No.1 - workman, and perused the material on record.

3. It has been contended by the learned counsel for the petitioner that the workman had worked only for about 4 months 23 days and thereafter, absconded from service without informing the petitioner. It is a case of voluntary abandonment of service, but the Labour Court has erroneously passed the award impugned in favour of the workman vide order dated 04.12.2001. Challenging the same, the present Writ Petition is filed. It has been further contended by the learned counsel for the petitioner that the Labour Court had erroneously passed the award under challenge in favour of the workman directing the petitioner that the workman should be reinstated into service with all back wages and continuity of service. The Labour Court ought not to have ordered reinstatement of the workman into service.

4. The learned counsel appearing for the workman submits that the Labour Court has rightly passed the award in favour of the workman and there is no illegality or irregularity committed by it, and, therefore, the writ petition deserves to be dismissed.

5. Having considered the rival submissions made by the learned counsel on either side, this Court is of the view that no grave illegality or irregularity has been pointed out in the award passed by the Labour Court by the petitioner. In the absence of the same, this Court cannot interfere with the findings recorded by the Labour Court in the award impugned.

6. Therefore, the Writ Petition is dismissed. There shall be no order as to costs.

ABHINAND KUMAR SHAVILI, J

October 4, 2018.
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