

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.16385 of 2001

ORDER:

This writ petition is filed seeking to issue a writ of Certiorari calling for the records connected with I.D.No.53 of 1999 on the file of the 1st respondent and quash the award dated 13.2.2001 passed therein and consequently to direct the 2nd respondent to reinstate the petitioner into service with all consequential benefits.

Heard Sri N.Mukunda Reddy, learned counsel for the petitioner and learned standing counsel for 2nd respondent Municipality.

It has been contended by the petitioner that he was appointed as NMR Sanitary Worker on 1.10.1990. While he was discharging his duties, the 2nd respondent municipality terminated his service without following due process of law and without issuing any notice. Aggrieved by the said action of the respondents, the petitioner filed I.D.No.53 of 1999 before the 1st respondent-Industrial Tribunal-cum-Labour Court, Karimnagar, under Section 2-A(2) of the Industrial Disputes Act and the Tribunal, vide orders dated 13.2.2001 had dismissed the I.D. without granting any relief to the petitioner. Challenging the same, the present writ petition is filed.

It is contended by the learned counsel for the petitioner that the respondents ought to have continued the petitioner in service and the

Tribunal ought to have set aside the termination order and reinstated the petitioner into service.

Learned Standing Counsel for the respondent municipality had contended that the Tribunal had rightly dismissed the I.D. preferred by the petitioner and there is no work for the petitioner with the respondent municipality and that the petitioner was never appointed as NMR.

Considering the submissions made by the parties, ends of justice would be met if the petitioner is permitted to submit a fresh representation within two weeks from the date of receipt of a copy of this order and upon such representation being received, the respondents shall consider the representation to engage him in any other vacant post and pass appropriate orders within a period of four weeks thereafter.

Accordingly, the Writ Petition is disposed of. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 06/11/2018

lkv

