

HON' BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P. No. 6651 of 2002

ORDER:-

This writ petition is filed seeking to issue a writ of Certiorari calling for the records relating to the Award dated 24.09.2001 in I.D.No. 269 of 1998 passed by the Industrial Tribunal-cum-Labour Court, Anantapur and quash the same by holding it as arbitrary and illegal. A consequential direction to the 2nd respondent to reinstate the petitioner into service is also sought.

Heard Sri S.G.Gowd, learned counsel for the petitioner and Sri A.Rama Rao, learned Standing Counsel for the 2nd respondent – A.P.S.R.T.C. and perused the material placed on record.

The brief facts of the case are that the petitioner was appointed as Conductor in A.P.S.R.T.C. in the year 1978, and while working as such, on 06.11.1997, the checking staff of the Corporation conducted a surprise check and found that the petitioner was involved in cash and ticket irregularities. The 2nd respondent issued charge Memo to the petitioner, and after conducting regular enquiry, imposed punishment of removal from service by proceedings dated 13.05.1998. Being aggrieved by the order of removal, the petitioner preferred an appeal before the Deputy Chief Traffic Manager, and the same was rejected on 07.10.1998. Thereafter, the petitioner

preferred an industrial dispute in I.D.No. 269 of 1998, and the 1st respondent, vide Award dated 24.09.2001, dismissed the same. Challenging the Award, the petitioner filed the present writ petition.

The learned Standing Counsel submits that the petitioner had attained the age of superannuation in the year 2003 itself, and thereafter, submitted a representation to release all his terminal benefits for the services rendered by him with the Corporation.

This Court, having considered the rival contentions made by the parties, is of the view that no orders of reinstatement can be passed in favour of the petitioner as he had already attained the age of superannuation way back in 2003. However, it is made clear that if there are any dues payable to the petitioner by the 2nd respondent, the same should be paid within a period of four weeks from the date of receipt of a copy of this order.

With the above observations, the writ petition is disposed of. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

ABHINAND KUMAR SHAVILI, J

26-07-2018
bcj