

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 24532 of 2002

ORDER:

This writ petition is filed seeking to issue a writ of certiorari calling for the record relating to and connected with I.D.No.48 of 1997 on the file of the Labour Court, Guntur and quash the award dated 11.12.2001 passed therein holding it as illegal and arbitrary.

Heard learned standing counsel for the petitioner corporation and learned counsel for the respondent.

It has been contended by the petitioner corporation that the respondent workman was appointed as Driver in the corporation. While so, a charge sheet was issued to him on 17.11.1992 on the allegation that he absented from duty unauthorisedly. After initiating disciplinary proceedings and after conducting regular enquiry and for the proven misconduct, the disciplinary authority had removed the respondent from service vide orders dated 03.02.1994. Questioning the same, the respondent unsuccessfully preferred an appeal and thereafter raised an industrial dispute in I.D.No.48 of 1997 on the file of the Labour Court, Guntur under Section 2-A(2) of the Industrial Disputes Act. The Labour Court without properly appreciating any of the contentions raised by the corporation, passed an award dated 11.12.2001 setting aside the order of removal and directing the corporation to reinstate the respondent into service with continuity of

service and 50 back wages. Aggrieved thereby, the present writ petition is filed.

Learned counsel for the respondent has contended that the Labour Court has rightly passed the award in favour of the respondent and, therefore, no interference is called for.

This Court, having considered the submissions made by the learned counsel for the parties, is of the considered view that the Labour Court has rightly passed the award in favour of the respondent. Further, no illegality or irregularity is pointed out by the learned standing counsel for the petitioner corporation in the award passed by the Labour Court. Unless and until any illegality or irregularity is pointed out by the learned standing counsel for the petitioner corporation in the award passed by the Labour Court, this Court cannot interfere with the award. There are no merits in the writ petition.

Therefore, the writ petition is dismissed. Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed. No order as to costs.

ABHINAND KUMAR SHAVILI, J

6th November, 2018
cbs

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Writ Petition No.24532 of 2002
(dismissed)

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