

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.12263 2002

ORDER

This writ petition is filed seeking writ of certiorari calling for the records relating to and connected with I.D.No.157 of 1998 dated 17.8.2001 passed by the Industrial Tribunal-cum-Labour Court, Anantapur.

Heard Sri A.Rama Rao, learned standing counsel for the petitioner Corporation.

It is contended by the petitioner that the 2nd respondent while working as security guard in Andhra Pradesh Road Transport Corporation at Atmakur Depot had absented himself unauthorizedly from 27.7.1993 to 28.10.1993 and, thereafter, he produced sick certificate and requested to permit him to join duty. The petitioner Corporation has construed the said unauthorized absence of the 2nd respondent as misconduct and initiated disciplinary proceedings against him and after conducting detailed enquiry, imposed punishment of removal from service on 19.5.1994. Aggrieved by the same, the 2nd respondent has preferred I.D.No.157 of 1998. The Industrial Tribunal-cum-Labour Court was pleased to pass award on 17.8.2001 by setting aside the order of removal dated 19.5.1994 and directed that the 2nd respondent be reinstated into service afresh.

In pursuance of the orders passed by the Industrial Tribunal-cum-Labour Court, Anantapur, the 2nd respondent has been

reinstated into service as a fresh entrant. When the Labour Court has set aside the order of removal on the ground of proportionality and exercised powers under section 11(a) of the Industrial Dispute Act, until or unless the lacunae is pointed out in the award passed by the Industrial Tribunal, this Court is not inclined to interfere with the award passed by the Tribunal. As the 2nd respondent was reinstated into service as fresh entrant, this Court does not find any reason to interfere with the award passed by the Labour Court. Hence, there are no merits in the writ petition.

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

Miscellaneous petitions pending, if any, shall stand closed.



ABHINAND KUMAR SHAVILI, J

Date: 23/07/2018
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