

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.2344 of 2004

ORDER:

This writ petition is filed seeking the following relief:

“For the reasons stated in the accompanying affidavit that this Hon’ble Court may be pleased to issue an appropriate Writ, Order or direction, especially in the nature of a Writ of Certiorari, calling for the records relating to the impugned award dated 17-04-2003 made in I.D.No.56/2000, Labour Court-II, Hyderabad, published on 23-06-2003, setting aside the order of removal dated 24-03-2000 and directing reinstatement of the 1st respondent into service with continuity of service, full back-wages and attendant benefits and quash the same as being illegal, without jurisdiction and invalid, and pass such other and further orders to meet the ends of justice”.

2. Heard the learned Standing Counsel for petitioner-Corporation and the learned Counsel for the 1st respondent-workman.

3. It has been contended by the petitioner-Corporation that the 1st respondent-workman was initially appointed as an Apprentice Conductor on 7-6-1971 with effect from 22-5-1971 and he was removed from service after conducting enquiry on certain allegations, vide proceedings dated 24-03-2000 and challenging the same, the 1st respondent raised an industrial dispute in I.D.No.56/2000 on the file of the 2nd respondent – Labour Court-II, Hyderabad under Section 2-A(2) of the Industrial Disputes Act, and the Labour Court without properly appreciating any of the contentions raised by the corporation, passed an award dated 17-4-2003 setting aside the order of removal and directing the corporation to reinstate the 1st respondent into service with full back wages, continuity of service and attendant benefits.

Aggrieved thereby, the present writ petition is filed by the petitioner-Corporation.

4. Learned Counsel for the 1st respondent has contended that the Labour Court has rightly passed the award in favour of the 1st respondent and, therefore, no interference is called for.

5. 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 1st 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 findings of the Labour Court. There are no merits in the writ petition and the writ petition is liable to be dismissed.

6. Accordingly, 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

17th December, 2018

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