

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.6921 of 2002

ORDER:

This writ petition is filed seeking Certiorari calling for the records relating to and connected with I.D.No.203 of 1999 dated 27.07.2001 passed by the Tribunal-cum-Labour Court, Visakhapatnam and to set aside the same, holding it as arbitrary and illegal and consequently direct the respondents to reinstate the petitioner into service.

2. Heard Sri Kuriti Bhaskara Rao, learned counsel for the petitioner and Smt. G. Sudha, learned counsel appearing for the 1st respondent.

3. It is the case of the petitioner that he had joined as casual labour in the 1st respondent-organization in the year 1995 and worked upto the year 1999. While so, the 1st respondent-organization has illegally terminated his service without following the procedure under Section 25-F of the Industrial Disputes Act ("the Act" for brevity). He has questioned termination of service by filing I.D.No.203 of 1999 before the Tribunal. The learned Tribunal, vide order dated 27.07.2001, dismissed the said I.D., on the ground that petitioner had not worked for more than 240 days so as to take shelter under Sections 25-B and 25-F of the Act. Challenging the same, the present writ petition is filed.

4. When the matter is taken up for hearing, even today, no material has been produced to demonstrate that the petitioner has

worked for more than 240 days, in the absence of which the finding recorded by the Tribunal cannot be reversed. The Tribunal has rightly rejected the I.D. filed by the petitioner.

5. Writ petition is devoid of merits and is accordingly dismissed.
No order as to costs.

As a sequel, miscellaneous petitions, if any pending, shall stand closed.

ABHINAND KUMAR SHAVILI, J

July 26, 2018
MRR

