

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.27959 of 2007

ORDER

This writ petition is filed seeking the following relief:

“..to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the Labour Court in so far as denying back wages and treating the period from date of absent till date of reinstatement as not on duty duly differing two yearly future increments vide Award dated 14.08.2006 which was published vide G.O.Rt.No.2293, dt. 3.11.2006 in I.D.No.145/03 is illegal, arbitrary and violative of Articles 14 and 16 of the Constitution of India and consequently to direct the respondents to pay all back wages duly granting all future benefits such as seniority, promotion etc and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Learned counsel appearing for the petitioner contends that while setting aside the removal order and reinstating the petitioner into service, the Labour Court ought not to have imposed the punishment of deferment of annual increment for a period of two years without cumulative effect and without back wages.

Learned Standing Counsel appearing for the respondent-Corporation contends that the Labour Court has rightly passed the Award and hence, no interference is called for from this Court.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that unless and until a grave illegality or irregularity has

been pointed out by the petitioner, this Court is not inclined to interfere with the Award passed by the Labour Court. There are no merits in the writ petition and the same is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

9th November, 2018
rkk

