

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 3742 of 2007

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.98 of 2003 on the file of the 1st respondent-Labour Court and quash the order dated 11.07.2005 passed therein insofar as denying back wages and attendant benefits.

2. Heard Sri G. Ravi Mohan, learned counsel for the petitioner, and learned standing counsel for TSRTC appearing on behalf of the 2nd respondent.

3. It has been contended by the petitioner that he was appointed as Conductor in the respondent corporation in the year 1990. While he was discharging his duties on 20.05.2001, the checking officials of the respondent corporation conducted a check and found that he had indulged in cash and ticket irregularities. The respondent corporation construed the same as misconduct and the disciplinary authority, after conducting detailed enquiry, imposed on him the punishment of removal from service for the proven misconduct vide orders dated 19.01.2002. Challenging the same, he unsuccessfully preferred an appeal and a review before the competent authorities and, thereafter, raised an industrial dispute in I.D.No.98 of 2003 on the file of the 1st respondent-Labour Court. The Labour Court, vide orders dated 11.07.2005, set aside the orders of removal and directed that the

petitioner be reinstated into service with continuity of service, but without back wages and attendant benefits. Questioning the order of the Labour Court with regard to denial of back wages and attendant benefits, the present writ petition is filed.

4. Learned counsel for the petitioner has contended that the Labour Court ought to have exercised its power under Section 11-A of the Industrial Disputes Act and granted back wages and attendant benefits.

5. On the other hand, learned standing counsel for the respondent corporation has contended that the Labour Court has rightly passed orders impugned in the writ petition denying back wages and attendant benefits. Therefore, no interference is called for.

6. Having considered the submissions made by the learned counsel for the parties and perused the record, this Court is of the considered view that the Labour Court has rightly passed the impugned orders. Further, no illegality or irregularity is pointed out by the learned counsel for the petitioner in the orders of the Labour Court. Unless and until any irregularity or illegality is pointed out by the learned counsel for the petitioner, this Court cannot interfere with the orders passed by the Labour Court. I find no merits in the writ petition.

7. 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

25th September, 2018
cbs



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Writ Petition No. 3742 of 2007
(dismissed)

25th September, 2018

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