

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.15863 OF 2004

ORDER:

1. This writ petition is filed seeking to issue a writ of Certiorari calling for the records relating to and connected with I.D.No.39 of 2003 on the file of the 2nd respondent and to quash the award dated 15.4.2004 passed therein.

2. Heard Sri Nandigam Krishna Rao, learned Counsel for the petitioners and Sri B. Sudhakar Reddy, learned Counsel for the respondent-workman.

3. It has been contended by the petitioners that the 1st respondent-workman was initially appointed as Badli Filler on 7.3.1984, and while he was discharging his duties as Badli Filler during the year, 1995, he remained absent unauthorizedly without informing the petitioners, and the said conduct of the 1st respondent-workman was construed as misconduct, and after conducting enquiry, the petitioners removed the 1st respondent-workman from service, and aggrieved by the same, the 1st respondent-workman filed I.D.No.39 of 2003 before the 2nd respondent-Tribunal, and the learned Tribunal set aside the removal order and directed that the workman be reinstated into service afresh. Challenging the same, the present writ petition is filed.

4. The learned Counsel for the petitioners contended that the Tribunal without appreciating any of the contentions raised by the petitioners mechanically allowed the I.D. preferred by the 1st respondent-workman.

5. This Court having considered the submissions made by the parties, is of the view that when once the Tribunal has exercised its powers under Section 11-A of the Industrial Disputes Act, unless and until there is some grave irregularity, the Court cannot interfere with the award of the Tribunal. No illegality or irregularity has been pointed out by the petitioners in the award passed by the Tribunal. More so, when once the Tribunal has exercised its powers under Section 11-A of the Industrial Disputes Act, no fault can be attributed to the Tribunal. Therefore, this Court is not inclined to interfere with the award impugned.

6. Accordingly, the Writ Petition is dismissed. No costs. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

JUSTICE ABHINAND KUMAR SHAVILI

Dated: 5th September, 2018.
nn.

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.15863 OF 2004



5/09/2018

Nn.