

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.NO.16534 OF 2002

ORDER:

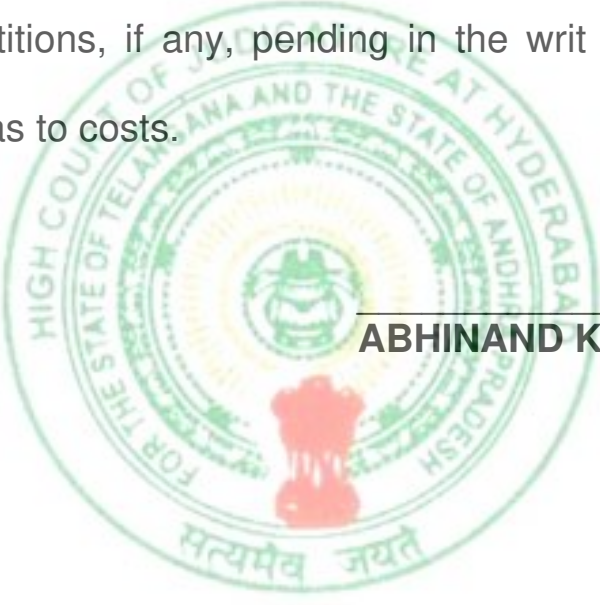
Petitioner, who was working as driver in the 2nd respondent – Corporation, was removed from service on the ground of unauthorized absence. Petitioner, after unsuccessfully availing the departmental remedies of appeal and revision, filed I.D.No.157 of 1999 on the file of Labour Court – II, Hyderabad. The Labour Court, vide award dated 07-09-2000, appreciating the entire evidence, both oral and documentary, upheld the findings of the inquiry officer with regard to the guilt of the workman, but found that the punishment imposed was disproportionate to the proved misconduct, therefore, considering the facts and circumstances of the case and in exercise of discretionary jurisdiction under Section 11-A of the Industrial Disputes Act, 1947, set aside the order of removal and ordered for reinstatement with continuity of service, but without back wages and further directed the Corporation to deny annual grade increments for a period of three years without cumulative effect. Aggrieved by the same, the workman filed the present writ petition.

Heard the learned counsel for the petitioner.

Sri K.Harinath, learned Standing Counsel for 2nd respondent – Corporation, submitted that the Labour Court has rightly passed the award in favour of the petitioner and no interference is called for.

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 and the further, the learned counsel for the petitioner has not pointed out any illegality or irregularity in the impugned award passed by Labour Court. Unless and until any illegality or irregularity is pointed out by the petitioner, this Court cannot interfere with the findings of 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. Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed. No order as to costs.



ABHINAND KUMAR SHAVILI, J

Date:10-12-2018

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