

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.NO.21341 OF 2004

ORDER

1st respondent – workman, was working as conductor in the Andhra Pradesh State Road Transport Corporation (for short 'the Corporation'). On the charge of unauthorized absence from duty, after conducting inquiry, he was removed from service. Challenging the same, he preferred I.D.No.233/2001 on the file of Labour Court – I, Hyderabad. By the impugned award dated 17-03-2004, the Labour Court set aside the order of removal and ordered for reinstatement into service with continuity of service, but without attendant benefits for the break period. The Labour Court further ordered for fifty per cent back wages. Challenging the same, the Corporation, filed the present writ petition.

Learned Standing Counsel appearing for the petitioner – Corporation contended that the Labour Court, without appreciating the evidence on record, erroneously allowed the I.D. and the same may be set aside.

The charges against the workman relate to unauthorized absence. The Labour Court, appreciating the evidence on record, categorically recorded finding of fact that conclusions arrived at by the inquiry officer, were in violation of principles of natural justice and accordingly set aside the order of removal and granted the relief noted above. The learned Standing Counsel for the petitioner – Corporation has not pointed out any contra evidence to interfere with the finding of fact recorded by the Labour Court. Hence, in the absence of any illegality or irregularity, in my considered view, the impugned award cannot be interfered with.

The writ petition is devoid of any merits and the same is accordingly dismissed, confirming the impugned award.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

ABHINAND KUMAR SHAVIL, J

DATE: 14—12—2018

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