

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.22609 of 2004

ORDER:

This Writ Petition is filed seeking a writ of Certiorari calling for the records relating to the order, dated 4.6.2004, passed in Industrial Dispute C.I.D.No.159 of 2002 by the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad, and set aside the same and sought consequential direction to reinstate the petitioner into service with continuity of service, attendant benefits and back wages.

2. Heard Sri G.Ravi Mohan, learned counsel for the petitioner and the learned standing counsel for the respondent Bank.

3. It has been contended by the petitioner that he was appointed as Messenger in the respondent Bank in the year 1977 and while he was discharging his duties as Clerk at Chandragiri, the respondent Bank issued a charge memo dated 7.1.1999 framing certain charges; the petitioner submitted his explanation to the said charge memo. The respondent Bank, without taking into consideration the explanation submitted by the petitioner, appointed an enquiry officer to conduct enquiry into the charges and after conducting a detailed enquiry, removed the petitioner from service vide order, dated 28.6.2001, for the proven misconduct. Aggrieved by the said removal order, the petitioner unsuccessfully preferred an appeal before the appellate authority and thereafter raised an Industrial Dispute before the Central Government Industrial Tribunal and the Tribunal vide Award,

dated 4.6.2004, dismissed the said I.D. Challenging the same, the present writ petition is filed.

4. Learned Standing Counsel for the respondent Bank had contended that the disciplinary authority imposed punishment of removal for the proven misconduct and the Labour Court has rightly dismissed the I.D., and therefore, the award impugned does not warrant any interference.

5. This Court having considered the rival submissions made by the parties, is of the considered view that no illegality or irregularity is pointed out by the counsel for the petitioner in the impugned order. Until and unless some grave irregularities are pointed out in the order passed by the Labour Court, this Court cannot interfere with the impugned order. However, the service benefits of the petitioner, if not paid for the service rendered prior to his removal, shall be paid by the respondent Bank, within a period of four (4) weeks, as per the Rules, from the date of receipt of copy of this order.

6. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

7. Miscellaneous petitions, if any, pending in this writ petition shall stand closed

ABHINAND KUMAR SHAVILI, J

Date: 06/11/2018

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