

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 21836 of 2002

ORDER:

This writ petition is filed seeking to issue a writ of certiorari calling for the records relating to and connected with I.D.No.182 of 2000 on the file of the 2nd respondent-Labour Court, and to quash the award dated 20-03-2002 passed therein holding it as illegal and arbitrary.

2. Heard learned Standing Counsel for petitioner-Corporation and learned Counsel for the 1st respondent-workman.

3. It has been contended by the petitioner-Corporation that the 1st respondent-workman was appointed as temporary driver in the Corporation in the year 1998 and he was removed from service after conducting enquiry on certain allegations, vide proceedings dated 24.02.1999 and after unsuccessfully availing the departmental remedies of appeal and review, 1st respondent raised the above referred industrial dispute under Section 2-A(2) of the Industrial Disputes Act, 1947 and the Labour Court without properly appreciating any of the contentions raised by the corporation, passed an award setting aside the order of removal and directing the corporation to reinstate the 1st respondent into service without back wages. Aggrieved thereby, the present writ petition is filed by the petitioner-Corporation.

4. Learned Counsel for the 1st respondent has contended that the Labour Court has rightly passed the award in favour of the 1st respondent and, therefore, no interference is called for.

5. 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 in favour of the 1st respondent. Further, no illegality or irregularity is pointed out by the learned Standing Counsel for the petitioner- Corporation in the award passed by the Labour Court. Unless and until any illegality or irregularity is pointed out by the learned Standing Counsel for the petitioner-Corporation in the award passed by the Labour Court, this Court cannot interfere with the findings of the Labour Court. There are no merits in the writ petition and the writ petition is liable to be dismissed.

6. 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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