

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.NO.18789 OF 2003

O R D E R

Challenging the order of his termination dated 05.02.1999, the petitioner, who was working as daily wage Driver in the 2nd respondent – Corporation, raised I.D.No.213 of 1999 on the file of Labour Court – II, Hyderabad. Vide award dated 25.07.2002, the Labour Court, appreciating the evidence on record, set aside the finding of the inquiry officer with regard to charge of unauthorized absence against the petitioner and consequently set aside the impugned order of removal and ordered for reinstatement of the petitioner. As the petitioner was working on daily wage basis, denied back wages. The Labour Court further directed the Corporation to regularize the services of the petitioner in accordance with the agreement they had entered with the union of workers. Aggrieved by the award of the Labour Court, in denying continuity of service, back wages and other attendant benefits, the present writ petition has been filed.

Learned counsel for the petitioner – workman and Sri K.Harinath, learned Standing Counsel for 2nd respondent – Corporation, submitted that this court considering identical set of facts in W.P.No.20004 of 2006 dated 29-10-2018 disposed of the writ petition directing the Corporation to grant continuity of service for terminal benefits, without any monetary benefits and confirmed the rest of the award of the Labour Court. Learned counsel sought to pass similar order.

Having regard to the facts and circumstances of the case and in view of the order dated 29-10-2018 in W.P.No.20004 of 2006, and for the reasons alike, the present writ petition is disposed of modifying the impugned award granting

the petitioner continuity of service only for the purpose of terminal benefits, without any monetary benefits. The rest of the impugned award is confirmed.

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

ABHINAND KUMAR SHAVILI, J

DATE: 17—12—2018

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