

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 7400 of 2002

ORDER:

This writ petition is filed seeking to issue a writ of certiorari calling for the record relating to and connected with I.D.No.79 of 1999 on the file of the Industrial Tribunal-cum-Labour Court-I, Hyderabad and quash the award dated 27.10.2001 passed therein holding it as illegal and arbitrary.

Heard learned standing counsel for the petitioner corporation and learned counsel for the respondent.

It has been contended by the petitioner corporation that the respondent workman was appointed as Driver in the corporation on 01.03.1995. While so, on 25.12.1997 he caused an accident resulting in death of a cyclist. The said act of the respondent was construed as misconduct and after initiating disciplinary proceedings and after conducting regular enquiry and for the proven misconduct, the disciplinary authority had removed him from service vide orders dated 10.08.1998. Questioning the same, the respondent unsuccessfully preferred an appeal and thereafter raised an industrial dispute in I.D.No.79 of 1999 on the file of the Industrial Tribunal-cum-Labour Court-I, Hyderabad under Section 2-A(2) of the Industrial Disputes Act. The Labour Court without properly appreciating any of the contentions raised by the corporation, passed an award dated 27.10.2001 setting aside the order of removal and directing the corporation to reinstate the respondent into service with continuity of

service, attendant benefits and full back wages. Aggrieved thereby, the present writ petition is filed.

Learned counsel for the respondent has contended that the Labour Court has rightly passed the award in favour of the respondent and, therefore, no interference is called for from this Court.

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 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 award. The writ petition is devoid of merits 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

16th November, 2018
cbs

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Writ Petition No.7400 of 2002
(dismissed)

16th November, 2018

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