

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 15621 OF 2003

ORDER :

This Writ Petition is filed challenging the orders passed in ID No.77 of 2000, dated 6.9.2002 in so far as denying continuity of service and back wages to the petitioner as illegal and quash or set aside the same only to that extent.

Heard Sri A.K.Jayaprakash Rao, the learned counsel for the petitioner and Sri B.Mayur Reddy, the learned standing counsel for the respondents.

It has been contended by the petitioner that he was appointed as Conductor in the year 1990 and while he was discharging his duties in February, 1998, the checking officials of the respondents-corporation have conducted the check and found that he indulged in cash and ticket irregularities and, after conducting detailed enquiry, for the proven misconduct, he was removed from service, vide orders dated 15.7.1998. Challenging the same, the petitioner has filed ID No.77 of 2000 under Section 2-A(2) of Industrial Disputes Act. The Tribunal, vide orders dated 6.9.2002, was pleased to set aside the orders of removal and directed that the petitioner be re-appointed as daily wage conductor without any back wages and continuity of service. Challenging the same, the present Writ Petition is filed.

The learned Counsel for the petitioner submits that appropriate orders may be passed directing the respondents to grant continuity of service and back wages.

The learned Standing Counsel for the respondents-corporation contends that the Industrial Tribunal-cum-Labour Court, Warangal, has rightly passed orders denying the continuity of service and back wages. As the petitioner was working as daily wage employee, the Labour Court has rightly directed that he should be reinstated as daily wage employee. No illegality or irregularity has been pointed out by the petitioner. In the absence of any irregularity or illegality, this Court normally cannot interfere with the orders passed by the Labour Court.

This Court, having considered the submissions made by the parties, is of the considered view that the Labour Court has rightly passed the orders in favour of the petitioner denying continuity of service and back wages and as no illegality or irregularity is pointed out in the award passed by the Labour Court, this Court cannot interfere with the award. There are no merits in the writ petition.

Therefore, the writ petition is dismissed. Consequently, Miscellaneous Petitions pending, if any, pending in the writ petition shall stand closed. No order as to costs.

ABHINAND KUMAR SHAVILI, J

17th December, 2018

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