

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 23697 of 2002

ORDER:

This writ petition is filed seeking to issue a writ of Certiorari calling for the records connected with I.D.No.44 of 1995 on the file of the 1st respondent-Labour Court, Guntur and quash the award dated 26.2.2001 passed therein insofar as denying attendant benefits and back wages as arbitrary and illegal and consequently to grant attendant benefits and back wages.

When the matter is taken up for hearing, it is noticed that the petitioner is on the verge of the retirement and the petitioner is challenging the orders of the 1st respondent-Labour Court insofar as denying attendant benefits and back wages.

Learned counsel for the petitioner had contended that the 1st respondent-Labour Court ought to have exercised its power under Section 11(A) of the I.D. Act and granted full relief to the petitioner instead of ordering only reinstatement.

This Court, after perusing the orders passed by the 1st respondent-Labour court is of the considered view that the Labour court had interfered with the punishment of removal and applying the proportionality theory had given a specific finding denying back wages and view of the same, no interference is called for by this Court. When no irregularity or illegality is pointed in the orders passed by the Labour court, this Court cannot interfere with the

findings of the Labour Court. Hence, there are no merits in the writ petition.

Accordingly, the Writ Petition is dismissed. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

Date: 03/10/2018
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