

**HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

**WRIT PETITION No. 25299 of 2002**

**ORDER:**

This writ petition is filed by the petitioner seeking to issue a writ of mandamus declaring the award dated 30.04.2002 passed by the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad, in L.C.I.D.No.12 of 2001, as illegal and arbitrary.

2. Heard Mr. R.S. Murthy, learned counsel for the petitioner and learned counsel for the 1<sup>st</sup> respondent-workman.

3. It has been contended by the petitioner that the 1<sup>st</sup> respondent was initially engaged as a Casual Mazdoor in the petitioner corporation during the period from 01.09.1993 till 31.03.1994 and thereafter he was disengaged in violation of the mandatory provisions. Challenging the same, the 1<sup>st</sup> respondent raised an industrial dispute in L.C.I.D.No.12 of 2001 before the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad under Section 2-A(2) of the Industrial Disputes Act, 1947, but the Labour Court without appreciating any of the contentions raised by the petitioner corporation had mechanically passed an award dated 30.04.2002 directing the corporation to reinstate the 1<sup>st</sup> respondent as a casual labour within 30 days and he should be granted temporary status in due course as and when his turn comes, taking his seniority from 01.08.1885. The same is questioned in this writ petition.

4. Learned counsel for the petitioner has submitted that in similar circumstances, this Court vide order dated 08.12.2017 in W.P.No.11234 of 2001 granted compensation of Rs.2,75,000/- in favour of the respondent workman therein in lieu of reinstatement and prayed that a similar order may be passed in this writ petition.

5. On the other hand, learned counsel appearing for the 1<sup>st</sup> respondent workman had contended that the similar issue was decided in the month of December, 2017 and, therefore, the compensation amount may be enhanced taking into account the inflation.

6. Having considered the submissions made by the learned counsel for the parties, this Court is of the view that ends of justice would be met, if the writ petition is disposed of directing the petitioner corporation to pay an amount of Rs.2,75,000/- to the respondent workman.

7. Accordingly, the writ petition is disposed of with a direction to the petitioner corporation to pay an amount of Rs.2,75,000/- (Rupees Two lakhs seventy five thousand only) to the 1<sup>st</sup> respondent workman as compensation in lieu of reinstatement, within a period of three (3) months from the date of receipt of a copy of this order.

Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed. No order as to costs.

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**ABHINAND KUMAR SHAVILI, J**

28<sup>th</sup> August, 2018  
cbs

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Writ Petition No. 25299 of 2002  
(disposed of)

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