HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.19850 OF 2010

ORDER :

This writ petition is filed seeking the following relief:

> "….to issue a writ, order or direction more in the nature of Writ of Certiorari directing the respondent to call for the records pertaining to I.D.No.193 of 2004 on the file of Labour Court, Guntur published in G.O.Rt.No.643, dated 25.03.2008 and the same was put on Labour court, Guntur on 30.04.2008 and to quash the award to the extent of not granting continue to service and backwages, and direct the respondent to appoint the petitioner with continue service and backwages and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

2. Heard Sri P.Gopal Das, learned counsel appearing for the petitioner and Sri K.Satyanarayana Murthy, learned Standing Counsel appearing for the respondent.

3. Learned counsel appearing for the petitioner contends that while setting aside the order of removal, the Labour Court ought to have granted continuity of service with backwages.

4. Learned Standing Counsel appearing for the respondent Corporation contends that the Labour Court has rightly passed the impugned order and no interference is called for from this Court.

5. Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that the Labour Court ought to have granted continuity of service.

6. Accordingly, the Writ Petition is disposed of directing the respondent-Corporation to grant continuity to service to the petitioner. In all other aspects, the rest of the order is confirmed. No costs.

7. Miscellaneous petitions, if any, pending shall stand closed.

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ABHINAND KUMAR SHAVILI, J

29TH October, 2018

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HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. No.19850 OF 2010

29th October, 2018

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