

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.19499 OF 2002

ORDER

This writ petition is filed seeking the following relief:

“...to issue writ, order or direction more particularly one in the nature of Writ of Certiorari and after calling for the records in I.D.No.15/92, dt. 7.4.1993 on the file of the Hon'ble 1st respondent in so far as denying attendant benefits, back wages and imposing a punishment of deducting three (3) increments from the petitioner pay is illegal, arbitrary and unjust and consequently quash the award in I.D.No.15/92 dt. 7.4.1993 on the file of the Hon'ble 1st respondent and consequently grant the relief of attendant benefits, back wages and three (3) increments to the petitioner and pass such other order or orders as this Hon'ble Court may deems fit and proper under the circumstances of the case.”

Heard Sri G.Ravi Mohan, learned counsel appearing for the petitioner, and Sri K.Harinath, learned Standing Counsel appearing for the respondent-Corporation.

Learned counsel appearing for the petitioner contends that while setting aside the order of removal and reinstating the petitioner into service with continuity of service, the Labour Court ought not to have imposed the punishment of deduction of three increments from the pay of the petitioner and denied the back wages; and that pursuant to the Award of the Labour Court, the petitioner was reinstated into service

and he had retired from service on attaining the age of superannuation.

Learned Standing Counsel appearing for the 2nd respondent-Corporation contends that the Labour Court has rightly passed the impugned Award and no interference is called for from this Court.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that the Labour Court has rightly passed the Award and when the petitioner has not pointed out any illegality or irregularity in the Award passed by the Labour Court, this Court is not inclined to interfere with the same. There are no merits in the writ petition and the same is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

29th October, 2018
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