

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.23476 of 2010

ORDER:

This Writ Petition is filed seeking to issue a Writ of Certiorari calling for the records relating to and connected with I.D.No.84 of 2006 on the file of respondent No.2-Labour Court-II, Hyderabad, published on 20.11.2009 in G.O.Rt.No.1611 dated 04.10.2009 setting aside the order of removal dated 18.07.2006 and directing the petitioners to reinstate respondent No.1 into service with continuity of service, without back wages but with attendant benefits as illegal, arbitrary, unjust and without jurisdiction and consequently quash the same and pass such other order or orders as this Court may deem fit and proper in the interest of justice.

2. Heard the learned Standing Counsel for petitioner-Corporation and the learned counsel for respondent No.1-workman.

3. It has been contended by the petitioner-Corporation that the respondent No.1-workman was appointed as conductor in the Corporation on 10.06.1980 and he was removed from service after conducting enquiry on certain allegations, vide proceedings dated 18.07.2006. Challenging the same respondent No.1 raised an industrial dispute in I.D.No.84 of 2006 on the file of respondent No.2-Labour Court—II, Hyderabad under Section 2-A(2) of the Industrial Disputes Act, and the Labour Court without properly appreciating any of the contentions raised by the corporation passed

an award dated 09.09.2009 setting aside the order of removal and directed the corporation to reinstate respondent No.1 into service without back wages but with attendant benefits. Aggrieved thereby, the present Writ Petition is filed by the petitioner-Corporation.

4. Learned counsel for respondent No.1 has contended that the Labour Court has rightly passed the award in favour of respondent No.1 and, therefore, no interference is called for.

5. This Court, having considered the submissions made by the learned counsel for the parties, is of the considered view that the Labour Court has rightly passed the award in favour of respondent No.1. Further, no illegality or irregularity is pointed out by the learned Standing Counsel for the petitioner-Corporation in the award passed by the Labour Court. Unless and until any illegality or irregularity is pointed out by the learned Standing Counsel for the petitioner-Corporation in the award passed by the Labour Court, this Court cannot interfere with the findings of the Labour Court. There are no merits in the Writ Petition and the Writ Petition is liable to be dismissed.

Accordingly, this Writ Petition is dismissed. No order as to costs. Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed.

ABHINAND KUMAR SHAVILI, J

20.11.2018
MVA