

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 2269 of 2010

ORDER:

1. This writ petition is filed seeking to issue a writ of certiorari calling for the records relating to and connected with I.D.No.108 of 2005 on the file of the Labour Court-III, Hyderabad, and to quash the award dated 21.5.2007 passed therein only to the extent of denying all attendant benefits including full back wages, and consequently, to direct the respondents to grant all attendant benefits including full back wages.

2. Heard the learned Sri P. Govinda Rajulu, learned Counsel for the petitioner and the learned Standing Counsel for the respondent.

3. It has been contended by the petitioner that he was a driver in the respondent-corporation. and on 24.6.2004, while he was driving the bus, an accident took place and in that connection, the respondent-corporation after conducting enquiry passed order dated 10.2.2005 removing the petitioner from service, challenging which, the petitioner filed I.D.No.108 of 2005 before the Labour Court. It has been further contended that the Labour Court vide award dated 21.5.2007 allowed the I.D. in part setting aside the order of removal and directing the respondent to reinstate the petitioner into service within one month, while holding that the petitioner would be entitled for

continuity of service, but without back wages and other attendant benefits. Aggrieved by denial of back wages and attendant benefits, the petitioner filed this writ petition.

4. Learned Standing Counsel for the respondent has contended that the Labour Court has already taken a lenient view and therefore, the award impugned does not warrant any interference.

5. This Court, having considered the submissions made by the learned Counsel for the parties, is of the considered view that the Labour Court while exercising power under Section 11-A of the Industrial Disputes Act, took a lenient view and set aside the punishment of removal of the petitioner. However, the Labour Court denied back wages and other attendant benefits. After perusing the material on record, this Court is of the view that the Labour Court has not committed any illegality or irregularity in denying back wages and other attendant benefits to the petitioner. There are no merits in this writ petition.

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

ABHINAND KUMAR SHAVILI, J

29th November, 2018
Nn

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Writ Petition No.2269 of 2010
(dismissed)

29th November, 2018

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