

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.18722 OF 2003

ORDER:

1. When the matter is taken up for hearing, none appears for the petitioners, in spite of the fact that the writ petition is listed under the caption '*for dismissal*'.

2. A perusal of the record discloses that the petitioners are seeking a writ of *Certiorari* calling for the record relating to and connected with the order passed in I.D. No.259 of 1996, dated 18.03.2000, by the Industrial Tribunal-cum-Labour Court-III (for short, 'the Labour Court'), Hyderabad, quash and set-aside the same as it is illegal and arbitrary.

3. It has been contended by the petitioners that the respondent – workman was appointed as a daily wage worker during the year 1985 and worked up to December, 1997. The respondent, on his own, has voluntarily abandoned the services and, without disclosing the said fact, the respondent – workman had filed a false case against the petitioners before the Labour Court viz., I.D. No.259 of 1996, under Section 2A(2) of the Industrial Disputes Act, 1947, and contended that he was terminated in January, 1988. The Labour Court vide orders, dated 18.03.2000, had allowed the I.D. No.259 of 1996, preferred by the respondent – workman, and directed that the respondent – workman be initiated into service on daily wage basis with continuity of service but without back wages. Challenging the same, the present writ petition is filed.

4. It has been contended by the petitioners that none of their contentions were appreciated by the Labour Court and Labour Court, erroneously, passed orders of reinstatement of the respondent – workman

and appropriate orders be passed in this writ petition by setting-aside the impugned orders of the Labour Court.

5. Learned counsel appearing on behalf of the respondent – workman had contended that the Labour Court has rightly passed orders in his favour and no illegality or irregularity has been pointed by the petitioners in the orders passed by the Industrial Tribunal, and in the absence of any irregularity or illegality, this Court, normally, should not interfere with the orders passed by the Labour Court.

6. This Court, having considered the rival submissions made by the parties, is of the considered view that the Labour Court has rightly passed orders in favour of the respondent – workman and the petitioners could not pointed out any grave irregularity or illegality in the orders passed by the Labour Court. Hence, this Court is not inclined to interfere with the orders passed by the Labour Court.

7. There are no merits in the writ petition and the writ petition is, accordingly, dismissed. No order as to costs.

8. Consequently, miscellaneous petitions, if any, pending in this writ petition shall stand closed.

Date: 23.11.2018.
Dsh

ABHINAND KUMAR SHAVILI, J

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