

**HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

**WRIT PETITION No.19840 of 2003**

**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.158 of 2000 on the file of the 2<sup>nd</sup> respondent-Labour Court, and to quash the award dated 06.03.2003 passed therein holding it as illegal and arbitrary.

2. Heard learned Standing Counsel for petitioner-Corporation and learned Counsel for the 1<sup>st</sup> respondent-workman.

3. It has been contended by the petitioner-Corporation that the 1<sup>st</sup> respondent-workman was appointed as Cleaner in the Corporation in the year 1997 and he was removed from service after conducting enquiry on certain allegations, vide proceedings dated 4.12.1999, and challenging the same, the 1<sup>st</sup> respondent raised an industrial dispute in I.D.No.158 of 2000 on the file of the 2<sup>nd</sup> respondent – Labour Court 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 06.03.2003 setting aside the order of removal and directing the corporation to reinstate the 1<sup>st</sup> respondent into service with all benefits

including back wages. Aggrieved thereby, the present writ petition is filed by the petitioner-Corporation.

4. Learned Counsel for the 1<sup>st</sup> respondent has contended that the Labour Court has rightly passed the award in favour of the 1<sup>st</sup> respondent 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 the 1<sup>st</sup> respondent. 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.

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.

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**ABHINAND KUMAR SHAVILI, J**

5<sup>th</sup> November, 2018  
Nn

**HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**



**Writ Petition No.19840 of 2003  
(dismissed)**

**5<sup>th</sup> November, 2018**

**Nn**