

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.22685 OF 2004

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.79 of 2001 on the file of the 1st respondent-Labour Court; to quash the award dated 8.3.2004 passed therein; to grant increments to the petitioner and to direct the respondent-Corporation to treat the period of suspension of the petitioner as on duty.

2. Heard Sri G. Ravi Mohan, learned Counsel for the petitioner and Sri A. Rama Rao, learned Standing Counsel for the respondent-Corporation.

3. It has been contended by the petitioner that he was appointed as driver in the year 1986 and while he was discharging his duties, it was alleged that he was found carrying liquor bottles during prohibition period, and that the said conduct of the petitioner was construed as misconduct, and the disciplinary authority after conducting enquiry imposed punishment of deferment of annual increments for a period of two years with cumulative effect while treating the period of suspension as not on duty, and that the appeal preferred by the petitioner was rejected. Further, it has been contended by the

petitioner that he raised a dispute before the Conciliation Officer, and on failure of conciliation proceedings, the Conciliation Officer referred the matter to the Government and the Government referred the matter to the Labour Court vide G.O.Rt.No.237, Labour Employment Training & Factories (Lab-I) Department, dated 2.2.2001, and the same was numbered as I.D.No.79 of 2001 before the Labour Court, and the Labour Court answered the reference against the petitioner. Aggrieved by the same, the present writ petition is filed.

4. The learned Counsel for the petitioner contended that the Labour Court without appreciating any of the contentions raised by the petitioner dismissed the I.D. and that the Labour Court ought to have restored the increments in favour of the petitioner.

5. The learned Standing Counsel for the respondent-Corporation contended that the Labour Court has rightly dismissed the I.D. and that the petitioner could not point out any illegality or irregularity in the award impugned.

6. This Court having considered the rival submissions made by the parties, is of the view that the Labour Court has rightly dismissed I.D.No.79 of 2001 vide award dated 8.3.2004. No illegality or irregularity has been pointed out by the learned

Counsel for the petitioner in the award impugned. Therefore, this Court cannot interfere with the award impugned.

7. Accordingly, the Writ Petition is dismissed. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Dated:23rd October, 2018.
Nn.



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WRIT PETITION No.22685 OF 2004

(dismissed)

23/10/2018

Nn.