

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.10936 OF 2001

ORDER:

1. This writ petition is filed seeking to issue a writ of Certiorari calling for the records relating to and connected with E.P.No.14 of 2000 in I.D.No.44 of 1987 on the file of the Industrial Tribunal-cum-Labour Court, Warangal, and to quash the order dated 23.4.2001 passed in the above said E.P. by holding it as illegal and arbitrary.

2. Heard the learned Government Pleader for Irrigation on behalf of the petitioner and Sri A.K. Jayaprakash Rao, learned Counsel for the 1st respondent-workman.

3. It has been submitted by the learned Government Pleader that the 1st respondent was appointed in the petitioner-Corporation and when his services were discontinued, he filed I.D.No.44 of 1987 before the Industrial Tribunal by invoking Section 2-A(2) of the Industrial Disputes Act, and the learned Tribunal vide order dated 27.3.1989 directed the petitioner to reinstate the 1st respondent-workman into service, and the petitioner challenged the said award by filing W.P.No.8831 of 1989 and the said W.P. was dismissed on 27.3.1998. It has been further submitted that the 1st respondent-workman filed E.P.No.14 of 2000 for implementation

of the award passed by the Tribunal in I.D.No.44 of 1987, and the Tribunal vide order dated 23.4.2001 was pleased to direct the petitioner to reinstate the 1st respondent-workman as Pump Operator and to deposit E.P. amount of Rs.5,05,366/- due to be paid to the 1st respondent-workman towards wages, while observing that in case of non-compliance of the its order dated 23.4.2001, on or before 7.6.2001, attachment of movable properties of the petitioner's office would follow, and aggrieved by the said order, the present writ petition is filed.

4. From the material on record, it is obvious that the petitioner challenged the original award passed in I.D.No.44 of 1987 by filing W.P.No.8831 of 1989 and the said writ petition was dismissed. Therefore, this Court is of the view that when the petitioner-management was not successful in getting any favourable orders against the original award, it cannot challenge the consequential orders passed in E.P.No.14/2000 in execution of the original award.

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

(ABHINAND KUMAR SHAVILI, J)

Dated: 13th August, 2018

Nn

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.10936 OF 2001



Dated: 13.8.2018

Nn