

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 16872 of 2004

ORDER:

This writ petition is filed seeking a writ of certiorari calling for the records related and connected to I.D.No.82/1998 dated 15.03.2001 passed by the Industrial Tribunal-cum-Labour Court and quash or set aside the same holding it as illegal, arbitrary only to the extent of denying back wages and attendant benefits.

Heard Sri G.Ravi Mohan, learned counsel for the petitioner and the Sri Mayur Reddy, learned Standing counsel for the respondents.

It has been contended by the petitioner that he was appointed as conductor in the respondent corporation on 01.08.1990. While he was conducting the bus during the month of July, 1995, a check was exercised by the checking officials and found that the petitioner has indulged in certain cash and ticket irregularities. The said conduct of the petitioner was construed as misconduct and initiated disciplinary proceedings. After conducting detailed enquiry, for proven misconduct of the petitioner, disciplinary authority has imposed punishment of removal vide order dated 22.10.1997. Challenging the same, petitioner unsuccessfully preferred an appeal and review before the competent authorities and, thereafter, raised an industrial dispute in I.D.No.82/1998 under Section 2A (2) of the Industrial Disputes Act. The Tribunal vide order dated 15.03.2001 was pleased to pass orders in favour of the petitioner by setting aside the removal orders. However, while granting relief, the Tribunal erroneously denied back wages and attendant benefits. Challenging the same, the present writ petition is filed.

Learned counsel for the petitioner contends that the labour Court ought to have granted full back wages and attendant benefits. Therefore, he contends that this Court may pass appropriate orders directing the respondents to pay back wages and attendant benefits to the petitioner.

Learned Standing counsel for the respondents had contended that the labour Court had rightly passed orders denying back wages and attendant benefits and that the petitioner could not point out any grave irregularity or illegality warranting interference of this Court. Hence, there are no merits in the writ petition and the same is liable to be dismissed.

This Court, having considered the rival submissions of both the parties, is of the considered view that the labour Court has rightly passed orders denying the back wages and attendant benefits to the petitioner.

Accordingly, writ petition is dismissed. There shall be no order as to costs.

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

ABHINAND KUMAR SHAVILI, J

26th November, 2018

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