

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.28034 OF 2009

ORDER

This writ petition is filed seeking to issue a Writ of Certiorari calling for the records relating to and connected with the Award dated 31.01.2008 passed in I.D.No.126 of 2004 by the Labour Court, Guntur and to quash or set aside the same by holding it as arbitrary and illegal.

Heard Sri K.Chidambaram, learned counsel appearing for the petitioners and Smt Bhanu Priya, learned counsel appearing for the 1st respondent and learned Government Pleader appearing for the 2nd respondent.

Learned counsel appearing for the petitioners contends that the respondent-workman was engaged through a contractor, and he was not entrusted the work of supplying man power to the petitioners and only such of those, who were engaged through contractor, who have been trusted with the task of supplying man power will be considered for regularization of their services. He further contends that the Labour Court committed error in directing the petitioners to employ the respondent-workman as and when they make regular appointments in their organization by relaxing age and academic qualifications.

Learned counsel appearing for the respondent-workman contends that the Labour Court has rightly passed the Award in favour of the respondent-workman and there is no illegality or irregularity in the Award passed by the Labour Court.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the view that the Labour Court has rightly passed Award in favour of the respondent-workman by directing the petitioners to engage the services of the respondent-workman as and when regular vacancy arises. Unless a grave illegality or irregularity has been pointed out by the petitioners, this Court is not inclined to interfere with the same. There are no merits in the writ petition and the same is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

9th November, 2018

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