

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.24081 of 2004

ORDER:

This Writ Petition is filed seeking a writ of Certiorari calling for the records relating to the order, dated 20.2.2002, passed in I.D.No.127 of 1999 by the Industrial Tribunal-cum-Labour Court, Anantapur, and set aside the same and sought consequential direction to reinstate the petitioner into service with continuity of service, attendant benefits and back wages.

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

3. It has been contended by the petitioner that he was appointed as Conductor in the respondent-Corporation in the year 1976 and while he was performing his duties on 21.12.1998, the officials of the respondent-Corporation have checked the bus and found that the petitioner had involved in cash and ticket irregularities. The respondent-Corporation constructed the same as misconduct and after conducting detailed enquiry, removed the petitioner from service vide order, dated 29.5.1999, for the proven misconduct. Aggrieved by the said removal order, the petitioner unsuccessfully preferred an appeal before the appellate authority and thereafter raised an Industrial Dispute before the Industrial Tribunal vide I.D.no.127 of 1999 and the Tribunal vide Award, dated 20.2.2002 dismissed the said I.D. Challenging the same, the present writ petition is filed.

4. Learned Standing Counsel for the respondent-Corporation contended that the disciplinary authority had imposed punishment

of removal for the proven misconduct and the Labour Court has rightly dismissed the I.D., and therefore, the award impugned does not warrant any interference.

5. This Court having considered the rival submissions made by of the parties, is of the considered view that no illegality or irregularity is pointed out by the counsel for the petitioner in the impugned order. Until and unless some grave irregularities are pointed out in the order passed by the Labour Court, this Court cannot interfere with the impugned order. However, the service benefits of the petitioner, if not paid for the service rendered prior to his removal, shall be paid by the respondent-Corporation, within a period of four (4) weeks, as per the Rules, from the date of receipt of copy of this order.

6. Accordingly, the Writ Petition is disposed of. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

ABHINAND KUMAR SHAVILI, J

Date: 06/11/2018

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