

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.20380 of 2004

ORDER:

This Writ Petition is filed seeking a writ of Certiorari calling for the records relating to the order, dated 15.5.1998, passed in I.D.No.65 of 1994 by the Labour Court-III, Hyderabad, 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 Sri B.Mayur Reddy, 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 1988; he applied for leave from 23.11.1992 as he was suffering from jaundice and after recovery from ill-health, he reported for duty on 9.2.1993. The respondent corporation, instead of permitting him to join duty, suspended him from service and after an ex parte enquiry, he was terminated from service vide proceedings dated 15.4.1993. Aggrieved by the said termination order, the petitioner preferred an appeal before the appellate authority but no action was taken on the same. Thereafter, the petitioner raised an Industrial Dispute vide I.D.No.65 of 1994 of 2001 before the Labour Court III and the Labour Court vide Award, dated 15.5.1998 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 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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