

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.4746 OF 2004

ORDER :

When the matter is taken up for hearing, the learned Counsel for the petitioner submits that the petitioner was removed for the alleged cash and ticket irregularities, vide orders dated 24.12.1999. Aggrieved by the same, the petitioner has unsuccessfully preferred appeal and thereafter filed ID No.178 of 1999 under section 2-A(2) of Industrial Disputes Act. The Labour Court-III, Hyderabad, vide orders dated 30.7.2001 has set aside the orders of removal, however, directed that the petitioner be reinstated afresh. Challenging the same, the present Writ Petition is filed.

The learned Counsel for the petitioner contends that the Labour Court ought to have exercised its powers under Section 11-A of Industrial Disputes Act and granted continuity of service back wages and other attendant benefits and contended that appropriate orders may be passed directing the respondents to grant continuity of service, attendant benefits and full back wages.

The learned Standing Counsel, appearing for the respondents, has submitted that the Labour Court has rightly passed orders in favour of the petitioner and, in pursuance of the orders of the Labour Court, the petitioner was already reinstated into service afresh and contends that no interference is called for as the Labour Court has granted relief in favour of the petitioner only on humanitarian grounds. The learned Standing Counsel for the respondents contends that

continuity of service can be granted only for the purpose of terminal benefits without any monetary benefits.

This Court having considered the said submission of the Standing Counsel is of the considered view that the Writ Petition can be disposed of directing the respondents to extend the continuity of service only for the purpose of terminal benefits without any monetary benefits.

With this observation, Writ Petition is disposed of.

Miscellaneous Petitions pending, if any, shall stand closed.

21<sup>st</sup> December, 2018

GS



ABHINAND KUMAR SHAVILI, J