

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.NO.24994 OF 2011

O R D E R

1st respondent – workman, was working as conductor in the Andhra Pradesh State Road Transport Corporation (for short 'the Corporation'). On the charges of cash and ticket irregularities, after conducting inquiry, he was removed from service. On unsuccessfully contesting the departmental appeal and review, he preferred I.D.No.70 of 2009 and by the impugned award dated 30.11.2010, the Labour Court – I Hyderabad, allowed the I.D. and held that the petitioner is entitled for full back wages from the date of his suspension i.e., from 30.06.2006 till the date of his disposal of the review on 16.08.2007 and that he was also entitled for pensionary benefits considering his length of service up to 16.08.2007. Challenging the same, the Corporation, filed the present writ petition.

Learned Standing Counsel appearing for the petitioner – Corporation contended that the Labour Court, without appreciating the evidence on record, erroneously allowed the I.D. and the same may be set aside.

Si G.Ravi Mohan, learned counsel for the 1st respondent – workman, submitted that the Labour Court, considering the material evidence on record, rightly set aside the punishment imposed on the workman and granted the relief and the same may not be interfered with in the writ petition.

The charges against the workman relate to cash and ticket irregularities. The Labour Court, appreciating the evidence on record, categorically recorded finding of fact that the management failed to

prove the charges against the workman and accordingly set aside the findings recorded by the enquiry officer, as confirmed by the disciplinary and the appellate authorities, and granted the relief noted above. The learned counsel for the petitioner – Corporation has not pointed out any contra evidence to interfere with the finding of fact recorded by the Labour Court. Hence, in the absence of any illegality or irregularity, in my considered view, the impugned award cannot be interfered with.

The writ petition is devoid of any merits and the same is accordingly dismissed, confirming the impugned award.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

ABHINAND KUMAR SHAVIL, J

DATE: 26—10—2018

AVS

