

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.10739 of 2002

ORDER :

This writ petition is filed seeking a writ of certiorari calling for the records pertaining to the order dated 13.10.2000 in I.D.No.118 of 1997 on the file of Chairman-cum-Presiding Officer, Industrial Tribunal-cum-Labour Court, Godavarikhani and quash the same as arbitrary and illegal and direct the respondents to reinstate the petitioner into service with all consequential benefits.

2. Heard Sri K.Jagadish Reddy, learned counsel for the petitioner and the learned standing counsel for first respondent.

3. It has been contended by the petitioner that he has been appointed as a Conductor in the Andhra Pradesh State Road Transport Corporation. While he was conducting the bus, it has been alleged by the checking officials of 1st respondent that he had indulged in issuing 16 unconnected tickets bearing No.007/304063 to 078 to 17 passengers (15 adult and 2 child passengers) by collecting Rs.40/- each at their boarding point, instead of requisite fare of Rs.29/-. The 1st respondent Corporation construed the conduct of petitioner as misconduct and after conducting a detailed enquiry, passed orders on 27.02.1993 removing the petitioner from service, vide proceedings No.02/104(26)/93-MNCL. Aggrieved by the same, the petitioner has preferred I.D.No.118 of 1997 before the Chairman, Industrial Tribunal-cum-Labour Court, Godavarikhani. The Labour Court, without considering the case on merits, has mechanically dismissed the I.D. on 13.10.2000. Challenging the same, the present writ petition is filed.

4. The learned Standing Counsel appearing for the first respondent had contended that the Labour Court has rightly passed the orders and rejected the I.D. and no interference is called for from this Court.

5. This Court having considered the rival submissions, is of the considered view that the disciplinary authority after elaborate consideration of the matter rightly passed the removal orders and the Labour Court after considering the evidence brought on record, dismissed the I.D. No illegality has been pointed out by the petitioner in the impugned orders passed by the Labour Court. There are no merits in the Writ Petition and the same is liable to be dismissed.

6. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

Consequently, Miscellaneous Petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

17th AUGUST 2018

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