

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 16860 of 2002

ORDER:

This writ petition is filed seeking to issue a writ of certiorari calling for the record relating to and connected with M.P.No.17 of 1998 on the file of the 2nd respondent-Labour Court and quash the order dated 15.05.2002 passed therein holding it as illegal and arbitrary.

Heard learned standing counsel for petitioners and learned counsel for the 1st respondent-workman.

It has been contended by the petitioner corporation that the 1st respondent was Traffic Inspector-II of Kukatpally Bus Depot. While working so, he has voluntarily retired from service on 20.05.1995 on medical grounds. On such retirement, the settlement amounts due to him were paid. However, he filed an application in M.P.No.17 of 1998 on the file of the 2nd respondent-Labour Court, stating that he was a member of the Staff Retirement Benefit Scheme since 1989 till he medically retired on 20.05.1995 and that under the said scheme, he was entitled to a monthly sum of Rs.510/- from April, 1989 till the date of his retirement. The Labour Court, on an erroneous and perverse view of the matter, held that the action of the petitioners in retiring the 1st respondent voluntarily is unjustified and passed orders dated 15.05.2002 directing payment of Rs.20,400/- to the 1st respondent towards benefits under the monthly staff retirement

benefits scheme. Questioning the same, the present writ petition is filed.

Learned counsel for the 1st respondent has contended that the Labour Court has rightly passed the order in favour of the 1st respondent and, therefore, no interference is called for from this Court.

This Court, having considered the submissions made by the learned counsel for the parties, is of the considered view that the Labour Court has rightly passed the order in favour of the 1st respondent. Further, no illegality or irregularity is pointed out by the learned standing counsel for the petitioner corporation in the order passed by the Labour Court. Unless and until any illegality or irregularity is pointed out by the learned standing counsel for the petitioner corporation in the order passed by the Labour Court, this Court cannot interfere with the findings of the Labour Court. There are no merits in the writ petition.

Therefore, the writ petition is dismissed. Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed. No order as to costs.

ABHINAND KUMAR SHAVILI, J

12th December, 2018
cbs

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Writ Petition No.16860 of 2002
(dismissed)

12th December, 2018

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