

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 4427 of 2002

ORDER:

This writ petition is filed by the petitioner corporation seeking to issue a writ of certiorari calling for the record relating to and connected with I.D.No.134 of 2000 on the file of the Labour Court, Godavarikhani, Karimnagar, and quash the award dated 03.10.2001 passed therein.

2. Heard Ms. Danda Radhika, learned standing counsel for the petitioner corporation and learned Government Pleader for the respondents.

3. It has been contended by the learned standing counsel for the petitioner corporation that the 1st respondent was appointed as a Khalasi in the petitioner corporation on 11.07.1990. While he was working as such, the petitioner corporation had received a complaint against him on 31.08.1998 that he fraudulently obtained the job of Khalasi under the Employees' Children quota by manipulating the records. The said act of the 1st respondent was construed as misconduct by the petitioner corporation and a charge sheet was issued on 11.05.1999. Thereafter, a regular enquiry was conducted and the enquiry officer submitted his report on 20.07.1999 holding that the charge leveled against the 1st respondent was proved. Basing on the said report, the disciplinary authority issued a show-cause-notice dated 24.08.1999 calling upon the 1st respondent to show cause

as to why he should not be removed from service, for which the 1st respondent submitted explanation. As the explanation was neither convincing nor satisfactory, the 1st respondent was removed from service vide orders dated 01.09.1999. Questioning the same, the 1st respondent filed an appeal and review petition before the competent authority and the same were rejected on 12.12.1999 and 04.07.2000 respectively. Finally, the 1st respondent preferred I.D.No.134 of 2000 before the Labour Court, Godavarikhani. The Labour Court passed an award dated 03.10.2001 setting aside the orders of removal and directing the petitioner corporation to reinstate the 1st respondent as a fresh candidate without back wages and without continuity of service. Aggrieved thereby, the present writ petition is filed.

4. Learned Government Pleader for the respondents has informed this Court that the 1st respondent was reinstated into service, in pursuance of the award passed by the Labour Court.

5. Having considered the submissions made by the parties, this Court is of the considered view that the award dated 03.10.2001 passed by the Labour Court in I.D.No.134 of 2000 has been complied with by the petitioner corporation and, therefore, the cause in the writ petition does not survive. More over, learned standing counsel for the petitioner corporation could not point any glaring illegality in the award passed by the Labour Court.

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

ABHINAND KUMAR SHAVILI, J

25th July, 2018
cbs



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WRIT PETITION No. 4427 of 2002
(dismissed)

25th July, 2018

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