

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.16165 OF 2002

ORDER:

1. This writ petition is filed seeking to issue a writ of Certiorari calling for the records relating to and connected with I.D.No.332 of 1999 on the file of the 2nd respondent-Labour Court, Hyderabad, and to quash the award dated 6.11.2001 passed therein.

2. The Labour Court passed the award impugned directing the petitioners herein to reinstate the 1st respondent-workman into service with continuity of service, without back wages and other attendant benefits. The Labour Court further directed to regularize the services of the workman on par with other workman.

3. The learned Standing Counsel for the petitioners contended that the direction of the Labour Court to regularize the services of the workman is beyond the scope of its power under the Industrial Disputes Act and that the Labour Court ought not to have directed to regularize the services of the workman, and therefore, the said direction may be set aside as it is without jurisdiction.

4. This Court having considered the submissions made by the parties is of the view that the Labour Court has no

jurisdiction to direct the petitioners to regularize the services of the workman. Therefore, the direction given by the Labour Court to regularize the services of the workman is set aside. Rest of the award impugned is confirmed.

5. Accordingly, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Dated: 12th October, 2018.
Nn.



HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

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12/10/2018

Nn.