

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.25211 of 2006

ORDER:

This writ petition is filed seeking to issue a writ of certiorari calling for the record relating to and connected with I.D.No.77 of 2004 on the file of the 2nd respondent and quash the award dated 21.12.2005 passed therein holding it as illegal and arbitrary.

Heard learned standing counsel for APSRTC appearing on behalf of the petitioners, Mr.V.Narasimha Goud, learned counsel appearing on behalf of the 1st respondent and learned Government Pleader for Labour appearing on behalf of the 2nd respondent.

It has been contended by the petitioner corporation that the 1st respondent workman was appointed as Sweeper in the year 1995. While so, she was prevented from working as Sweeper from 08.04.1999. Challenging the same, the 1st respondent raised an industrial dispute in I.D.No.77 of 2004 on the file of the 2nd respondent under Section 2-A(2) of the Industrial Disputes Act. The 2nd respondent without properly appreciating any of the contentions raised by the corporation, passed an award dated 21.12.2005 setting aside oral termination of the petitioner from service dated 08.04.1999 and directing the Corporation to reinstate the 1st respondent into service as Sweeper without any back wages and without continuity of service. Aggrieved thereby, the present writ petition is filed.

Learned counsel for the 1st respondent has contended that the 2nd respondent has rightly passed the award in favour of the 1st respondent and, therefore, no interference is called for.

This Court, having considered the submissions made by learned counsel for the parties, is of the considered view that when once the 2nd respondent had exercised the power under Section 11-A of the Industrial Disputes Act, unless and until any illegality or irregularity is pointed out by the learned standing counsel for the petitioner corporation in the award passed by the 2nd respondent, this Court cannot interfere with the award. 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

Date:01-02-2019
Prv