

**HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN
AND
HON'BLE SRI JUSTICE A. RAJASHEKER REDDY**

WRIT APPEAL No.2068 of 2005

JUDGMENT: *(per the Hon'ble Justice A.Rajasheker Reddy)*

This appeal, under Clause 15 of Letters Patent, is filed against the order of the learned Single Judge dated 20.08.2005 passed in W.P.No.8057 of 2004 wherein and whereby the learned Single Judge dismissed the writ petition, which is filed challenging the award of the Industrial Tribunal-cum-Labour Court, Warangal, in I.D.No.133 of 2001 dated 14.11.2003.

2. Learned counsel for the appellant submits that the writ petition was dismissed on the ground that the photostat copies of the documents were marked as exhibits and hence, no reliance can be placed on them and that the certified copies of the same are filed along with appeal.

3. A perusal of the award dated 14.11.2003 passed by the Labour Court goes to show that the Labour Court, after marking the documents as exhibits and after placing reliance on the same, came to the conclusion that the appellant has not worked for 240 days continuously prior to his termination, as such, he cannot claim the benefit under Section 24-F of the Industrial Disputes Act, 1947. The said finding of fact was affirmed by the learned Single Judge observing that no reliance can be placed on photostat copies, which were marked as exhibits.

4. Since the Labour Court has already considered the documents even though they are photostat copies and gave a categorical finding, which was affirmed by the learned Single Judge, we are not inclined to interfere with the impugned order in this intra-Court appeal. We find no merit in this writ appeal and the same is accordingly dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed. There shall be no order as to costs.

THOTTATHIL B. RADHAKRISHNAN, CJ

Date: 25.03.2019

A. RAJASHEKER REDDY, J

va/sur

