

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.27441 OF 2015

ORDER:

When the matter is taken up for hearing, counsel appearing for the parties informed the Court that the issue raised in this writ petition is squarely covered by the order passed by this Court in W.P.24840 of 2007, dated 06.09.2018.

Counsel for the petitioner submitted that in **K.C. Narayana v. Managing Director**¹, this Court had already taken a view that the Corporation cannot impose the punishments other than the punishments enumerated in the Regulations. Since the appellate authority has modified the punishment of removal to that of reinstatement into service as afresh and the same is contrary to the Regulations, counsel for the petitioner contended that let the matter be remanded to the revisional authority so as to re-consider the entire issue and pass appropriate orders, in accordance with law, imposing any other lesser punishment than the punishment of dismissal/removal/termination as enumerated in the Regulations.

Standing Counsel appearing for the respondents has not disputed about the facts.

This Court, having considered the rival submissions of learned counsel for respective parties, is of the considered view that the award passed by the Industrial Tribunal-cum-Labour Court in I.D.No.69 of

¹ 2007 (5) ALD 416

2003, dated 05.03.2004, and also the order dated 09.04.2002 passed by the revisional authority are liable to be set aside.

Accordingly, the award passed by the Industrial Tribunal-cum-Labour Court in I.D.No.69 of 2003, dated 05.03.2004, and also the order dated 09.04.2002 passed by the revisional authority are set aside and the writ petition is allowed. The matter is remanded to the revisional authority to consider the case afresh and pass appropriate orders, in accordance with law, imposing any other lesser punishment than the punishment of dismissal/removal/termination, within a period of four weeks from the date of receipt of a copy of this order. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

24th September, 2019
v v