

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**TUESDAY, THE TWENTIETH DAY OF JUNE
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

WRIT PETITION NO: 20340 OF 2006

Between:

The General Manager, The Singareni Collieries Company Ltd., Mandamari,
Adilabad District.

...PETITIONER

AND

1. The Presiding Officer, Central Government Industrial Tribunal-cum-Labour Court, Hyderabad.
2. Sri Chand Pasha, s/o S.K.Hussain, r/o 206, Hanuman Basti, Bellampalli, Adilabad District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue appropriate writ, order or direction particularly one in the nature of writ of certiorari after calling for the records from the 1st respondent pertaining to L.C.I.D.No.135 of 2003 order 29/12/04 and quash the same as illegal, arbitrary and without jurisdiction.

I.A. NO: 2 OF 2006(WPMP. NO: 25734 OF 2006)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of the award of the 1st respondent in LCID No.135 of 2004 pending disposal of W.P.No. /2006.

Counsel for the Petitioner: SRI J. PRABHAKAR

**Counsel for the Respondent No.1: SRI GADI PRAVEEN KUMAR,
DY. SOLICITOR GENERAL OF INDIA**

Counsel for the Respondent No.2: SRI C.N. MOORTY

The Court made the following: ORDER

HON'BLE SRI JUSTICE J. SREENIVAS RAO

WRIT PETITION No.20340 of 2006

ORDER:

Singareni Collieries Company Limited filed this writ petition questioning the award passed by respondent No.1 - Central Government Industrial-cum-Labour Court at Hyderabad in Industrial Dispute L.C.I.D.No.135 of 2003 dated 29.12.2004.

2. Heard Smt. K.Kalyani, learned counsel, representing Sri J.Prabhakar, learned counsel appearing for the petitioner company, and Sri C.N.Moorthy, learned counsel appearing for respondent No.2.

3. It is undisputed fact that respondent No.2 was appointed as Badli Filler in the year 1988 and later he was drafted as Tunnel Mazdoor in the year 1990 and due to his unauthorized absence the petitioner company had issued charge sheet dated 04.08.1999 invoking the company standing orders 25.31. Pursuant to the same, respondent No.2 submitted his explanation requesting the petitioner company to drop the charge. Having been not satisfied the same, the petitioner company had initiated departmental enquiry and basing upon the enquiry report submitted by the enquiry officer, the petitioner company removed respondent No.2 from services.

4. Aggrieved by the same, respondent No.2 has raised a dispute *vide* L.C.I.D.No.135 of 2003 on the file of respondent No.1 invoking

the provisions of Section 2-A (2) of the Industrial Disputes Act, 1947 (*hereinafter called for brevity the 'Act'*). Respondent No.1 after considering the contentions of the respective parties and material available on record, passed the impugned award.

5. Learned counsel for the petitioner has not pointed out any illegality and irregularity in the impugned award. This Court is not inclined to interfere with the impugned award. The scope of judicial review is very limited to exercise the jurisdiction conferred under Article 226 of the Constitution of India and the writ petition is liable to be dismissed.

6. Accordingly, the writ petition is dismissed. No costs.

As a sequel, miscellaneous applications, if any pending, shall stand closed.

//TRUE COPY//

SD/- K. VENKAIAH
ASSISTANT REGISTRAR
GB
SECTION OFFICER

To,

1. One CC to SRI J. PRABHAKAR, Advocate [OPUC]
2. One CC to SRI C.N. MOORTHY, Advocate [OPUC]
3. One CC to SRI GADI PRAVEEN KUMAR, DEPUTY SOLICITOR GENERAL OF INDIA [OPUC]
4. Two CD Copies

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GJP



HIGH COURT

DATED:20/06/2023

ORDER

WP.No.20340 of 2006



DISMISSING THE WRIT PETITION

WITHOUT COSTS

as

⑥ copies

MA

11/7/23