

THE HON'BLE SRI JUSTICE HARINATH NUNEPALLY

WRIT PETITION No.25180 of 2011

ORDER:

In the present writ petition, the petitioner's corporation challenges the Award, dated 30.12.2010, in I.D.No.208 of 2007 passed by the Chairman-Cum-Presiding Officer, Industrial Tribunal-Cum-Labour Court, Anantapur, whereby the 1st respondent was reinstated into service with continuity of service, attendant benefits but without back wages on the principle of "No work no pay".

2. The case of the petitioner is that he was appointed as Conductor in the respondent Corporation in the year 1998. On 14.08.2005 while the 1st respondent was on duty in Bus bearing No.5517 on route Pulivendula to Bangalore, a check was conducted by the officials of Head quarter Enforcement Squad, Adoni, and certain irregularities were found, based on which laid a charge sheet and invited an explanation from the 1st respondent. After a thorough enquiry, the disciplinary authority removed the 1st respondent from service. The 1st respondent challenged his removal from service filed an

appeal before the appellate authority, but the same was rejected, confirming the order of the disciplinary authority. Thereafter, the 1st respondent preferred review before the reviewing authority. The said review was also rejected. Thereafter, the 1st respondent approached the Industrial Tribunal-Cum-Labour Court, Anantapur, *vide* I.D.No.208 of 2007 seeking reinstatement into service, by which the petitioner herein was directed to reinstate the 1st respondent herein into service with continuity of service, attendant benefits but without back wages on the principle of 'no work no pay'. Aggrieved by the same, the petitioner's Corporation filed the present writ petition.

3. Heard learned Standing counsel for the petitioner and perused the Award under challenge.

4. The Tribunal has gone into detail with respect to the necessity for modification of the punishment. After considering the evidence on record, arrived at a decision to modify the punishment and passed the award.

5. Considering the nature of the allegations and the detailed manner in which the Award is passed, this Court is

not inclined to interfere with the award passed by the tribunal, 2nd respondent herein.

6. In the result, the writ petition is dismissed without costs.

Pending miscellaneous applications, if any, shall stand closed.

JUSTICE HARINATH NUNEPALLY

Date: 15.12.2023

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