

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI  
(Special Original Jurisdiction)

FRIDAY, THE FIFTEENTH DAY OF DECEMBER  
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HON'BLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 25180 OF 2011



Between:

The Depot Manager, APSRTC Pulivendula, Kadapa district.

...PETITIONER

AND

1. K.Sudhakar, C/o.R.Sundaramma, aged 32 years, Chagalamerri, Allagadda Kurnool District
2. The Chairman -cum-Presiding officer, Industrial Tribunal, cum Labour Court, Anantapur.

...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 petition order or direction more particularly one in the nature of writ of Certiorari declaring the award made in ID.No.208 of 2007 on the file of Industrial Tribunal cum Labour Court, Anantapur as illegal, and arbitrary, and quash the same by calling for records relating to the said award dated 30.12.2010.

I.A. NO: 1 OF 2011(WPMP. NO: 30979 OF 2011)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the operation of the Award dated 30.12.2010 made in ID.No.208 of 2007 on the file of Industrial Tribunal cum Labour Court, Anantapur pending disposal of the above writ petition.

**Counsel for the Petitioner: SRI K. VISWANATHAM (SC FOR APSRTC)**

**Counsel for the Respondent No.1: ----**

**Counsel for the Respondent No.2: GP FOR LABOUR**

**The Court made the following: ORDER**

**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 1<sup>st</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> respondent. After a thorough enquiry, the disciplinary authority removed the 1<sup>st</sup> respondent from service. The 1<sup>st</sup> 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 1<sup>st</sup> respondent preferred review before the reviewing authority. The said review was also rejected. Thereafter, the 1<sup>st</sup> 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 1<sup>st</sup> 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, 2<sup>nd</sup> respondent herein.

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

Pending miscellaneous applications, if any, shall stand closed.

**SD/- G. HELA NAIDU**  
**ASSISTANT REGISTRAR**  
  
**SECTION OFFICER**

//TRUE COPY//

To,

1. One CC to SRI K. VISWANATHAM (SC FOR APSRTC) Advocate [OPUC]
2. Two CCs to GP FOR LABOUR, High Court of Andhra Pradesh. [OUT]
3. Three C.D. Copies

Nm  
MBT

*Dsl*

**HIGH COURT**

**DATED: 15/12/2023**

**ORDER**

**WP.No.25180 of 2011**

6 copies  
18/4/24  
DSL



**DISMISSING THE WP  
WITHOUT COSTS**