

THE HONOURABLE SRI JUSTICE HARINATH.N

Writ Petition No.9850 of 2012

ORDER:

The petitioner is aggrieved by the Award passed by the Labour Court, Anantapur in I.D.89 of 2010. Whereby, the Labour Court had modified the orders passed by the petitioner herein to the effect of reinstating the respondent into service with continuity of service but without backwages and attendant benefits on the principle of 'No work no pay'.

2. The respondent was working as a conductor in the Petitioner Corporation from the year 1990. While he was on duty on 04.10.2007 the checking squad had noticed ticket irregularities and the charge sheet was issued against the respondent. The respondent participated in the enquiry proceedings and the Enquiry Officer found the respondent guilty of irregularities and submitted a report to the appropriate authority for taking the necessary action. Based on the enquiry report the respondent was removed from service vide order dated 30.04.2008. The respondent filed an appeal and review against the said order.

3. Aggrieved by the order passed by the disciplinary authority the respondent filed an I.D. before the Labour Court challenging the punishment imposed on the respondent . The Labour Court after considering all the facts and circumstances and also the evidence before the Labour Court had set aside the orders of removal dated 30.04.2008 and also the proceedings of the appellate and review authority and consequently directed the petitioner therein to reinstate the respondent into service with continuity of service but without backwages and attendant benefits on the principle of 'No work no pay'.

4. This Court while admitting the Writ Petition vide order dated 10.04.2012 granted interim stay of the Award dated 10.06.2011 passed in I.D.89 of 2010 on the file of the Industrial Tribunal-Cum-Labour Court, Anantapur for a period of four (04) weeks.

5. The learned counsel for the petitioner submitted that the respondent is reinstated into service. It is fairly considered by the learned counsel for the petitioner that the respondent is in service and is working presently. The

order of the Tribunal has been implemented. Considering the submissions of the learned counsel for the petitioner this Court would not have passed any orders in the Writ Petition but to dismiss the Writ Petition as the order of the Labour Court is complied in all respects.

6. Accordingly, the Writ Petition is dismissed. No order as to costs.

As a sequel, Miscellaneous Petitions pending, if any, shall stand closed.

JUSTICE HARINATH.N

Date: 06.12.2023.
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