



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

[3457]

WEDNESDAY, THE TWENTY SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 37360/2013

Between:

1.M .KARNAIH,, E-408553; APSRTC DRIVER, S/O.CHENNAIAH AGE 45
YEARS, KOILAKUNTLA DEPOT, R/O.KOILAKUNTAL, KURNOOL
DISTRICT.

...PETITIONER

AND

1.THE APSRTC, REP BY ITS MANAGING DIRECTOR,
MUSHEERABAD, BUS BHAVAN, HYDERABAD

2.THE REGIONAL MANAGER, APSRTC, KURNOOL REGION, AT
KURNOOL.

3.THE APSRTC, REP BY ITS DEPOT MANGER, KOILAKUNTLA
DEPOT, KURNOOL DISTRICT:

4.THE INDUSTRIAL TRIBUNALCUMLABOUR COURTII, ANATHAPUR,
REP. BY ITS PRESIDING OFFICER

...RESPONDENT(S):

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 an order or direction more particularly one in the nature of Writ of "Certiorari" calling for the records relating to and in connection with the Award of the Industrial Tribunal-cum-Labour Court, Anathapur in I.D.No. 112/2011 dated 8-10-2012, which was published in the Gazette vide G.O.Rt.No.1321, dated 22-11-2012 is liable to be modified with a consequential direction to reinstate the petitioner with all consequential and

attendant benefits along with the wages for the out of employment period in the interest of justice

IA NO: 1 OF 2013(WPMP 45864 OF 2013)

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 dispense with the filing of the Original Award copy in the W.P.

IA NO: 2 OF 2013(WPMP 46492 OF 2013)

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 fix an early date of hearing of the W.P.

Counsel for the Petitioner:

1.S M SUBHAN

Counsel for the Respondent(S):

1.GP FOR LABOUR

2.ARAVALA RAMA RAO(SC FOR APSRTC KKAC)

The Court made the following:

ORDER:-

The petitioner is challenging the award passed in I.D.No.112 of 2011 by Labour Court, Anantapur, to the extent of denial of back wages for the period during which he was not on duty and deferment of one annual increment without cumulative effect.

2. The petitioner was engaged as a conductor in the year 1994 and was removed from service vide proceedings dated 03.09.2010 for having involved in a charge of cash and ticket irregularity. The disciplinary authority had conducted an enquiry and imposed the punishment of removal from service. The petitioner had filed an appeal and review before the competent authorities which were summarily rejected.

3. The petitioner thereafter filed I.D before the Labour Court which had held that the punishment imposed on the petitioner was grossly disproportionate to the charges framed and accordingly, directed the respondents to reinstate the petitioner into service with continuity of service. The petitioner was not entitled for back wages and attendant benefits on the principle of no work, no pay. The respondents were further directed to defer one annual increment without cumulative effect after reinstatement of the petitioner.

4. It is the specific case of the petitioner that the charges framed against the petitioner relating to operating of picketed issuing machine etc., were in the scope of the driver. The petitioner did not indulge in collecting the fare

and not issued the tickets to the passengers. The Labour Court has conducted a detailed enquiry and considered the documents submitted on behalf of the petitioner and the respondents and has come to a just and reasonable conclusion which warrants no interference.

5. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

Date.22.04.2026
SR

JUSTICE HARINATH.N