

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 14TH DAY OF JANUARY 2015/24TH POUSHA, 1936

WP(C).No. 11582 of 2009 (P)

PETITIONER(S):

**THE MANAGING DIRECTOR, SEALORD HOTEL (P) LTD.,
SHANMUHAM ROAD, KOCHI-31.**

**BY ADVS.SRI.E.K.NANDAKUMAR
SRI.K.JOHN MATHAI
SRI.P.BENNY THOMAS
SRI.ANIL D. NAIR**

RESPONDENT(S):

- 1. ROSY JOSEPH, W/O.K.G.JOSEPH,
C/O.N.S.JOY, NADUVILAPARAMBIL VEEDU, CHERANELLOOR
P.O.-682034**
- 2. SUNITHA JOY,W/O.K.J.JOY,
C/O.DANSO ROSSARIYO, RONI COTTAGE
CHERANELLOOR P.O. 682034.**
- 3. THE INDUSTRIAL TRIBUNAL, ALAPPUZHA.**

ADDITIONAL RESPONDENT:

**R4. THE DISTRICT LABOUR OFFICER,
ERNAKULAM CIVIL STATION, KAKKANAD
(IMPLEADED AS PER ORDER DATED 15.06.10 IN I.A NO.6437/2010)**

**R,R1,2 BY ADV. SRI.A.V.XAVIER
R,R1,2 BY ADV. SRI.K.JOLLY JOHN
R BY GOVERNMENT PLEADER SRI. R. RANJITH**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 14-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONERS EXHIBITS:

- EXT.P1** COPY OF THE AWARD IN ID.NO.9/2004 DATED 25.11.08 PASSED BY THE 3RD RESPONDENT.
- EXT.P2** COPY OF THE APPOINTMENT ORDER DATED 30.7.2000 OF THE FIRST RESPONDENT.
- EXT.P3** COPY OF THE DECLARATION DATED 26.7.01 GIVEN BY THE FIRST RESPONDENT WHILE JOINING THE ESI SCHEME.
- EXT.P4** COPY OF THE APPOINTMENT ORDER DATED 28.6.01 OF THE 2ND RESPONDENT.
- EXT.P5** COPY OF THE DECLARATION DATED 30.7.01 GIVEN BY THE 2ND RESPONDENT WHILE LJOINING THE ESI SCHEME.
- EXT.P6** COPY OF THE COMPLAINT DATED 27.8.02 SUBMITTED BY THE FIRST RESPONDENT.
- EXT.P7** COPY OF THE COMPLAINT DATED 27.8.02 SUBMITTED BY THE 2ND RESPONDENT.
- EXT.P8** COPY OF THE WRITTEN STATEMENT DATED 5.8.04 FILED BY THE PETITIONER IN ID NO. 9/04.
- EXT.P9** COPY OF THE VOUCHER DATED 9.8.02 SIGNED BY THE 2ND RESPONDENT AND THE ACCOUNTANT OF THE PETITIONER.
- EXT.P10** COPY OF THE VOUCHER DATED 24.4.02 EVIDENCING RECEIPT OF SALARY ADVANCE BY THE FIRST RESPONDENT.
- EXT.P11** COPY OF THE SHOW CAUSE NOTICES DATED 19.4.10 ISSUED BY THE DISTRICT LABOUR OFFICER TO THE PETITIONER.
- EXT.P12** COPIES OF REPLY DATED 13.5.10 SUBMITTED BY THE PETITIONER TO THE DISTRICT LABOUR OFFICER.

RESPONDENTS EXHIBITS:

- EXT.R1(a)** COPY OF THE CERTIFIED COPY OF THE DEPOSITION IN CROSS EXAMINATION OF MW-1 DATED 20.4.07 IN EXHIBIT P-1 AWARD OBTAINED FROM THE 3RD RESPONDENT.

// TRUE COPY //

PA TO JUDGE.

SB

K. VINOD CHANDRAN, J.

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W.P.(C) No.11582 of 2009 - P

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Dated this the 14th day of January, 2015

J U D G M E N T

The matter has been settled between the parties on payment of compensation of Rs.35,000/- each to both the workers. Recording the satisfaction of the workers, the writ petition would stand closed.

Sd/-
K. VINOD CHANDRAN,
JUDGE

SB

// true copy //

P.A to Judge.