

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE SMT. JUSTICE P.V.ASHA

THURSDAY, THE 6TH DAY OF AUGUST 2015/15TH SRAVANA, 1937

WP(C).NO. 28860 OF 2014 (F)

PETITIONER(S)/PETITIONERS:-:

1. HOC CANTEEN WORKERS UNION (CITU)
REPRESENTED BY ITS SECRETARY, HOC CANTEEN, AMBALAMUGAL
ERNAKULAM - 682 302.
2. HOC CANTEEN,
HOUSE KEEPING & LABOUR SUPPLY WORKERS CONGRESS (INTUC)
REPRESENTED BY ITS SECRETARY, HOC CANTEEN, AMBALAMUGAL
ERNAKULAM - 682 302.

**BY ADVS.SMT.A.K.PREETHA
SRI.C.ANIL KUMAR**

RESPONDENT(S)/RESPONDENTS:-:

1. HINDUSTAN ORGANIC CHEMICALS LTD.
REPRESENTED BY ITS EXECUTIVE DIRECTOR, AMBALAMUGAL
ERNAKULAM - 682 302.
2. ASSISTANT LABOUR COMMISSIONER (CENTRAL),
KENDRIYA SHRAM SADAN, OLIMUGAL, KAKKANAD
KOCHI - 682 030.
3. P.S.ARAVINDAKSHAN,
INDUSTRIAL CONTRACTOR, SREE KRISHNA HOUSE
SABARMATHY ROAD, PALARIVATTOM P.O., KOCHI - 682 025.

**R3 BY ADV. SRI.P.THOMAS GEEVERGHESE
R3 BY ADV. SRI.TONY THOMAS (INCHIPARAMBIL)
R1 BY ADV. SRI.E.K.MADHAVAN
BY GOVERNMENT PLEADER SRI. REFEEL V.K.
BY SRI.V.KRISHNA MENON**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06-08-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1. TRUE COPY OF THE AWARD DATED 14.11.2011 PASSED BY THE INDUSTRIAL TRIBUNAL, ALAPULZHA IN ID NO.16/2005.

EXHIBIT P2. A TRUE COPY OF THE WAGE SETTLEMENT DATED 21.07.2011 ENTERED BETWEEN THE PETITIONERS AND THE CANTEEN CONTRACTOR OF THE 1ST RESPONDENT.

EXHIBIT P3. A TRUE COPY OF THE RATE CONTRACT DATED 29.01.2014 AWARDED 1ST RESPONDENT TO THE 3RD RESPONDENT.

EXHIBIT P4. A TRUE COPY OF THE AGREEMENT DATED 06.09.2014 BETWEEN THE PETITIONERS AND THE 3RD RESPONDENT.

EXHIBIT P5. A TRUE COPY OF THE LETTER DATED 15.09.2014 SUBMITTED BY THE PETITIONERS TO THE 1ST RESPONDENT.

RESPONDENT(S)' EXHIBITS

EXHIBIT R3(A):COPY OF THE CONTRACT ENTERED BETWEEN THE 1ST RESPONDENT COMPANY AND THIS RESPONDENT ON 21.12.2013.

EXHIBIT R3(B):COPY OF NOTICE ISSUED BY THE 3RD RESPONDENT TO 1ST RESPONDENT, ON 7TH NOVEMBER, 2014.

EXHIBIT R3(D):COPY OF SALARY BILL OF THE PETITIONERS.

ANNEXURE A1:COPY OF THE MINUTES OF THE MEETING HELD WITH THE THIRD RESPONDENT ON 4.12.2014.

ANNEXURE B:COPY OF THE LETTER DATED 28.11.2014 ALONG WITH THE COPY OF THE POSTAL COVER.

ANNEXURE C:COPY OF THE PETITION SUBMITTED BY THE SECOND PETITIONER DATED 22.9.2014.

/TRUE COPY/

P.A. TO JUDGE

SKV

P.V.ASHA, J.

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W.P.(C). No.28860 OF 2014

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Dated this the 6th day of August, 2015

JUDGMENT

Learned counsel for the petitioners submit that on the basis of the interim orders passed by this court on 1.12.2014 and 12.3.2015 the company has made payment to the petitioners. The petitioners have certain disputes regarding the actual amount due to them and those actually paid to them. Therefore they want to pursue the matter before the appropriate forum for granting them liberty to approach the appropriate forum for the unsatisfied claims, this writ petition is closed.

This writ petition is closed. Parties will work out their respective remedies.

Sd/-

P.V.ASHA, JUDGE

SKV