

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

**WRIT PETITION Nos. 7487, 6929, 7105, 6761, 25305, 9137, 6839, 9152, 7170,
7169, 8349, 7168 & 7089 OF 2006**

COMMON ORDER:

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Taking W.P.No.7487 of 2006 as lead petition, these batch of Writ Petitions are disposed of by this common order. For the sake of convenience the parties are referred as arrayed in M.P.No.71 of 2001 on the file of Labour Court-I, Hyderabad.

W.P.No.7487 of 2006 came to be filed seeking issuance of Writ of Certiorari calling for records in connection with M.P.No. 71 of 2001 on the file of Labour Court-I, Hyderabad, dated 09.12.2005 and quash the same.

An application came to be filed under Section 33-C(5) of Industrial Disputes Act claiming the amounts due from the respondent therein towards the wage revision arrears amount payable to the petitioners therein. The employees joined as workers with respondent company on various dates bearing different ticket numbers and subsequently took voluntary retirement on different dates. It is stated that the wage grade of the petitioners fall under the workman category as per the certified standing orders of the respondent company. It is further stated that inspite of several reminders and representations made by the petitioners therein, there was no response from the respondent company. Inspite of issuing legal notice, there was no reply from the respondents therein. Hence M.P.No.71 of 2001 was filed before the said Labour Court. After considering the oral and documentary evidence adduced therein, the labour Court allowed the said M.P. directing the respondent company to pay wage revision arrears as per the eligibility, in accordance with the respective services of the petitioners therein. The said amount was directed to be paid to the petitioners therein within one month from the date of that order. Challenging the order of the labour Court, the present Writ Petition came to be filed by the company.

Though various grounds are raised in the Writ Petitions, learned counsel for the petitioners submits that in view of the judgment of this Court and the decision of the Supreme Court in HMT Vs.P.Subbarayudu and others, wherein a direction was given to the company for payments of certain benefits to the employees who opted for voluntary retirement, the employees are entitled for payment of wage revision arrears.

Hence, the Writ Petitions are disposed of directing the petitioner herein - company to pay wage revision arrears to the unofficial respondents, within a period of three months from the date of receipt of a copy of this order, as per their entitlement, after deducting any amounts already paid to them. It is always open to the unofficial respondents to make representation before the appropriate authorities claiming interest, if they are entitled to, which shall be dealt with, in accordance with law.

With the above directions, the Writ Petitions are disposed of. No costs.

Consequently, the Miscellaneous Petitions, if any, pending in these Writ Petitions shall stand closed.

JUSTICE C. PRAVEEN KUMAR

26.11.2015

vhb