

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD

**FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

**WEDNESDAY, THE TWENTY FOURTH DAY OF
AUGUST TWO THOUSAND AND SIXTEEN**

—
Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

—
WRIT PETITION No.3378 of 2011

Between:

The General Secretary, Jubilee Hills International Centre
Employees Union rep. by B. Srinivasulu, (Reg.No.B-2055)
H.No.8-2-269/19/381/B, Behind L.V.Prasad Eye Institute, Road
No.2, Banjara Hills, Hyderabad.

. Petitioner

AND

The Presiding Officer, Industrial Tribunal-II, Chandravihar,
Hyderabad and others.

.. Respondents

The Court made the following:

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THE HON'BLE SRI JUSTICE P.NAVEEN RAO

-
WRIT PETITION No.3378 of 2011

ORDER

Jubilee Hills International Centre Employees Union filed claim before the Labour Court on behalf of 20 contract workers praying to treat them as regular employees by the petitioner Centre and for reinstatement into service. I.D.No.26 of 2006 was registered on the file of Industrial Tribunal-II, Hyderabad, on a reference under Section 10(1)(d) of Industrial Disputes Act, 1947, to answer the referred issue.

2. The Industrial Tribunal formulated the following points for consideration:

1. Whether all the 20 workers for whom the present reference was made were deployed by the 2nd respondent as labour contractor?
2. Whether oral termination of the petitioners was in violation of the provisions of I.D.Act, 1947?
3. To what relief the 20 workers for whom the present reference was made are entitled to?

3. The Industrial Tribunal answered the first point holding that all the 20 workmen were not deployed by the second respondent as labour contractor for managing the Air Conditioned Bar of first respondent as there is no relationship of principal employer and contract employer between respondents 1 and 2. Having held so, the Labour Court was not inclined to

grant reinstatement and instead, decided to award compensation. The Labour Court accordingly directed the first respondent to pay compensation of Rs.25,000/- to each of the workers for whom the reference is made.

4. Challenging the said award, this writ petition is filed by the Jubilee Hills International Centre.

5. At the hearing, on instructions, from the petitioner, learned counsel Sri Hari Haran, fairly submits that petitioner has decided to implement the award of Labour Court and would pay compensation as determined by the Labour Court and not intending to prosecute this writ petition.

6. In view of the said submission, the Writ Petition is dismissed, affirming the award passed by the Labour Court. However, in the facts and circumstances of the case, petitioner is granted six weeks time for compliance of the order of the Labour Court. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition, shall stand dismissed.

P.NAVEEN

RAO, J

24th August, 2016

sj