

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION Nos. 4598, 4603, 4648 and 5480 of 2007

COMMON ORDER:

These four writ petitions are being disposed of by this common order as they were filed by the same petitioner against the orders, dated 18.10.2006, passed by the Additional Tribunal-cum-Additional Labour Court, Hyderabad in M.P.Nos.5 of 2000 and 68, 71 & 66 of 1999 filed by its employees claiming monetary benefit at different rates.

The petitioner herein, who was respondent in the M.Ps., took a plea that Section 33-C(2) of the Industrial Disputes Act, 1947 is not applicable and the claim of the petitioners therein, who are respondent No.2 in all these writ petitions, cannot be adjudicated under the said provision. It is the further case of the petitioner that it paid all the employees full wages from 01.11.1993 onwards and as per the settlement, all the employees received monies in full and final settlement without raising any dispute. After receiving the monies, respondent No.2-claimants resigned their jobs. In spite of the said specific stand, even in the absence of respondent No.2-claimants, the Tribunal allowed the Petitions. Challenging the same, the above writ petitions were filed.

In the present writ petitions also, a specific ground was taken that the Tribunal chose to take upon itself the responsibility to justify the claims and passed the orders.

None appears for respondent No.2 in these writ petitions, obviously for the reason that they have already received the amounts and they do not want to contest the cases.

Learned counsel for the petitioner submits that no further cause of action survives for adjudication in the present writ petitions and they can be closed by recording the statement that respondent No.2 in all these writ petitions have received the amounts even before filing the M.Ps. Therefore, she seeks leave of this Court to raise such plea in the event of any of the claimants preferring execution petitions.

By recording the statement made by the learned counsel for the petitioner, the writ petitions are closed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in these writ petitions shall stand closed.

A.RAMALINGESWARA RAO,J

Dt:16.12.2016

kdl