

HONOURABLE SRI JUSTICE S.V. BHATT

WRIT PETITION No.22496 OF 2009

ORDER :

The writ petition is filed for the following relief:

“..that this Hon’ble Court may be pleased to pass an order, writ or direction more particularly one in the nature of Writ of Certiorari calling for the records pertaining to the case in M.W. No.92/2006 before the Authority under the Minimum Wages Act, 1948 and Deputy Commissioner of Labour, Ranga Reddy District, Hyderabad i.e. respondent No. 1 and quash the order dated 18-8-2009 holding the same as illegal, arbitrary, high handed and unreasonable, in the interest of justice.”

Heard the learned counsel appearing for the parties and perused the order impugned in the writ petition.

The only question urged before the Court is that the imposition of penalty by the 1st respondent authority is erroneous and is liable to be set aside.

I do not see any reason to interfere with the findings on points 1 and 2 of the order impugned.

Counsel appearing for petitioner requests the Court to consider that the imposition of penalty is unwarranted in the case on hand and alternatively submits that appropriate compensation can be granted. Learned counsel for 2nd respondent contends that in view of the admitted circumstances, the imposition of penalty is consequential relief granted by the 1st respondent authority. Counsel appearing for 2nd respondent agrees to the suggestion of counsel for the petitioner to receive half of the compensation i.e. half of Rs.38,884/- awarded by the 1st respondent authority as penalty.

Hence, the award is modified and the 2nd respondent is entitled

to Rs.38,884/- towards difference of minimum wages and the 2nd respondent is further entitled to half of the compensation i.e. Rs.19,442/-. The petitioner shall pay the amount within four weeks from the date of receipt of a copy of this order.

The writ petition is disposed of. No order as to costs.

Miscellaneous petitions if any pending shall stand closed.

S.V. BHATT, J

Date:09.06.2016

Stp