

**THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No.18566 of 2012

Date of Decision:04.10.2016

Mahavir and others

... Petitioners

Vs.

Central Warehousing Corporation and others

... Respondents

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. S.K. Bhardwaj, Advocate for the petitioners.

None for the respondents.

P.B. BAJANTHRI J.

In the instant writ petition, the petitioners have made following prayers:

“i) issue a writ in the nature of certiorari for quashing the impugned action of the respondent corporation by not taking any action against the violation committed by the respondent labour contractors regarding the terms and conditions of the license issued to them, which is issued subject to the conditions given therein;

ii) issue a writ in the nature of mandamus, directing the respondents to comply with the terms and conditions provided in the license/agreement, for providing the basic amenities, deposit of EPF, maintaining the attendance register, payment record, granting wages as per Minimum Wages Act, etc. in view of judgment passed by the Hon'ble Supreme Court of India as the granting of lesser wages is violative of article 21 of the Constitution of India;

iii) further the petitioners are entitled for the wages which is granted to the contractors by the respondent corporation; and further respondents are directed to pay raises to the petitioners as made by the principal employer to his implies for similar work and failure of pay will amount to breach of conditions of license as is ahead by the Hon'ble called in case title as Hindustan steel works construction Ltd versus Commissioner of labour cited as 1996 SCC (L and S) 1448;

iv) further directing the respondent authorities to take strict legal action against the respondent contractors who are regularly getting

the job of loading and unloading of foodgrains from the labourers like the petitioners and even then are clearly denying the fact that the petitioners are never working with them, whereas, as per the information supplied by them, the list of labourers contains the names of the petitioners;”

There is no specific action of the respondent-corporation is under challenge. Consequently, the petition is not maintainable. Even for seeking writ of mandamus, there is no specific prayer.

Consequently, the petition stands dismissed with liberty to the petitioners to file fresh petition with appropriate prayer.

04.10.2016
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No