

\$~26

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 2247/2016

M/S G4S SECURE SOLUTIONS INDIA PVT LTD..... Petitioner
Through: Mr.Gulshan Chawla, Adv.

versus

RAM BABU ARYA AND ORS Respondents
Through: Mr.R.S. Jena, Adv.

CORAM:
HON'BLE MR. JUSTICE V.P.VAISH

ORDER
% **04.04.2016**

1. By way of present petition the petitioner has *inter alia*, assailed order dated 4th January 2016, 26th March 2015 passed by the Authority under Minimum Wages Act, 1948, Deputy Labour Commissioner (West District), New Delhi.
2. With the consent of learned counsel for both the parties, the matter is taken up for final disposal.
3. Learned counsel for the petitioner submits that the respondents moved an application dated 19.11.2014 under Section 20(2) of the Minimum Wages Act, 1948 (for short 'the Act') for payment of overtime at the double rate against the petitioner herein.

The notice of the said application was issued to the petitioner herein. Learned counsel for the petitioner further submits that the petitioner was never served with the notice of the application and the petitioner was proceeded ex-parte vide order dated 26th March 2015.

4. Learned counsel for the petitioner further submits that the petitioner moved an application dated 29th September 2015 for setting aside the ex-parte order dated 26th March 2015, but the said application was also dismissed vide impugned order dated 5th November 2015.

5. Mr.R.S. Jena, learned counsel for the respondents submits that notice of the application was sent to the petitioner, but the petitioner did not appear as the petitioner wants to delay the matter.

6. During the course of arguments, learned counsel for the respondents submits that he has no objection if the petition is allowed subject to payment of costs.

7. In view of the facts and circumstances of the case and submissions made by learned counsel for the parties, the impugned orders 4th January 2016, 26th March 2015 and 5th November 2015 passed by Authority under Minimum Wages Act, 1948 are set aside subject to costs of Rs.3,000/- to be paid to the respondents.

8. Both the parties are directed to appear before concerned Authority on 18.04.2016 at 11.00 a.m.

9. The Authority under Minimum Wages Act, 1948 is directed to pass a fresh order after affording an opportunity of hearing to both the parties expeditiously and preferably within a period of four weeks from the next date of hearing.

10. The petition stands disposed of.

CM No.9694/2016

The application is dismissed as infructuous.

V.P.VAISH, J

APRIL 04, 2016/gm