

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 23732 of 2000

ORDER:

The writ petition is filed seeking writ of certiorari, calling for the records relating to and connected with the Orders passed by the 1st Respondent/Labour Court-II, Hyderabad in I.A.No.306 of 2000 in I.D.No.23 of 1999, dated 30.10.2000, and quash or set aside the same as arbitrary and illegal.

2. Heard Sri V. Hari Haran, counsel appearing for the Petitioner-Employees Union and Sri P.Sudheer Rao, representing Smt.K.Udaya Sree, counsel appearing for the un-official respondents.

3. It is contended by the learned counsel for the petitioner that the Petitioner is a recognized Union of the Employees of the 2nd respondent and is representing the cause of workmen. The Petitioner Union had filed the above I.D.No.23 of 1999 before the 1st Respondent/Labour Court for various charters of demands against the 2nd respondent-Company. While the said dispute was being adjudicated, a set of 33 workmen, in their individual capacity, had approached the 2nd respondent for certain benefits to be extended to them on par with other employees, numbering 222, and the Management had entered into a settlement with those 33 individuals and extended the similar benefits as it was

extended to other 222 workmen. That necessitated the contesting 33 workmen/ respondents to file I.A.No.306 of 2000 in the above said I.D., before the Labour Court/ 1st Respondent seeking closure of the dispute, as the demands of workmen have already been settled. The Petitioner-Union, who is a recognized and major Union, had filed the present writ petition, aggrieved by the closure of the I.D., at the instance of 33 workmen, who are impleaded as parties in the present writ petition.

4. The learned counsel for the Petitioner-Union submits that he has no grievance, if 33 workmen are extended the benefits in terms of the settlement entered into by the 2nd Respondent-Management, but his only grievance appears to be the closure of the I.D., which covers various other charters of demands.

5. In view of the same, the writ petition is disposed of duly setting aside the Orders of the 1st Respondent in I.A.No.306 of 2000 in I.D.No.23 of 1999, dated 30.10.2000, with a direction to the 1st Respondent/Labour Court-II to adjudicate the issue in respect of other charters of demands raised by the Petitioner-Union. Suffice it to say that the settlement entered in respect of 33 workmen with the Management would not come in the way while adjudicating the I.D., by the Labour Court.

6. With the above observation, the writ petition is disposed of.
As a sequel, the miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

Abhinand Kumar Shavili, J.

November 27, 2017
Kv



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