

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.11628 OF 1999

Date 19.06.2017

W.P.No.11628 of 1999

Between:

Syed Ameenuddin.

... Petitioner

AND

Deputy Commissioner of Labour, Twin Cities, TRC
Cross Roads, T.Anjaiah Bhavan, Hyderabad and
others.

.....Respondents



HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 11628 of 1999

ORDER:

The order dated 29.06.1998 of respondent No.2, as confirmed by respondent No.1, in appeal, under the A.P. Shops and Establishments Act, 1988 (for short 'the Act'), is challenged before this Court.

Facts are not in dispute. The petitioner was engaged as a cook in respondent No.3 – Telangana Fishermen Central Cooperative Societies Limited which was later merged with respondent No.4 – A.P. State Fishermen Cooperative Societies Federation Limited. Though notices were served on respondent No.4 both by the petitioner as well as through Court, there is no representation on their behalf.

Since respondent No.4 is a private entity and when the petitioner initially filed writ petition, it came to be disposed of giving liberty to the petitioner to approach appropriate forum which was confirmed in writ appeal. Thereafter, petitioner approached respondent No.2, under the provisions of the Act, alleging violation of Section 47 of the Act, and seeking reinstatement into service. Respondent No.2, after going through the material on record and, having found that the petitioner was terminated without following due process but, however,

taking into consideration the plea of respondent No.4 that it was running in losses, directed compliance of Section 47(4) of the Act; and, thereby, directed respondent No.4 to pay a sum of Rs.15,000/- as service compensation.

Service compensation was calculated in terms of the provisions of the Act. Thereafter, petitioner approached respondent No.1 by filing appeal which was also dismissed by order dated 18.12.1998. There is no infirmity in the orders passed by the authorities, particularly, seeking interference of this Court while exercising certiorari jurisdiction.

Learned counsel for the petitioner submits that compensation amount was deposited by respondent No.4 before Assistant Commissioner of Labour -III, T.Anjaiah Karmeeeka Samskshema Bhavan, RTC Cross Roads, Hyderabad, presently under the control of Assistant Commissioner of Labour -III, T.Anjaiah Karmeeeka Samskshema Bhavan, RTC Cross Roads, Telangana, and the same may be directed to be paid to the petitioner.

In the circumstances, Writ Petition is disposed of with a direction to respondent No.2 - Assistant Commissioner of Labour -III, T.Anjaiah Karmeeeka Samskshema Bhavan, RTC Cross Roads, Telangana to pay the amount deposited by respondent No.4 to the petitioner

within a period of six weeks from the date of receipt of a copy of this order.

Miscellaneous petitions pending, if any, in the writ petitions shall stand closed. No order as to costs.

CHALLA KODANDA RAM,J

Date: 19.06.2017
usd

