

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVIL

WRIT PETITION No.11925 of 2003

ORDER:

This writ petition is filed seeking to issue a writ of certiorari calling for the record relating to impugned order dated 20.12.2002 made in M.P.No.16 of 2001 on the file of the 2nd respondent-Labour Court holding that the petitioner is liable to pay a sum of Rs.14,136/- to the 1st respondent, and quash the same holding it as illegal and arbitrary.

Heard learned standing counsel for the petitioner corporation and learned counsel for the 1st respondent.

The contention of the learned standing counsel for the petitioner corporation is that the Labour Court had passed a cryptic order and just because the petitioner has not filed a calculation memo, the claim of the 1st respondent was allowed. He further contended that the Labour Court ought not to have entertained a petition under Section 33-C(2) of the Industrial Disputes Act preferred by the 1st respondent.

This Court having considered the said submissions is of the considered view that a paltry amount of Rs.14,136/- was granted in favour of the 1st respondent and the Labour Court might have passed a cryptic order, but it is not for this Court to entertain a writ petition under Section 226 of the Constitution of India for a meager amount of Rs.14,136/- and it is almost 16 years from the day the Labour Court has passed the impugned orders and at this point of time the writ petition cannot be entertained, as the Labour Court

has passed some equitable orders in favour of the 1st respondent citing the lapse on the part of the petitioner in not properly assisting it and not filing the calculation memo before it. The writ petition is devoid of merits and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. Consequently, miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

15th December, 2018
cbs



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WRIT PETITION No.11925 of 2003
(dismissed)

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