

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 12339 of 2002

ORDER:

This writ petition is filed seeking to issue a writ of certiorari calling for the records relating to and connected with M.P.No.29 of 1997 on the file of the 1st respondent-Labour Court and quash the order dated 25.01.2001 passed therein directing the petitioners 2 and 3 to pay ex-gratia along with interest at 12% p.a. from the date of the order till realization to the 2nd respondent, holding it as illegal and arbitrary.

While admitting the writ petition, this Court granted interim stay of operation of the impugned order dated 25.01.2001 subject to condition of the petitioners depositing an amount of Rs.55,000/- being the principal amount, and on such deposit, the 2nd respondent is at liberty to withdraw the amount, vide orders dated 10.07.2002 in WPMP No.15286 of 2002.

When the matter is taken up for hearing, learned standing counsel for the petitioners has submitted that pursuant to the interim orders, the petitioners have deposited the amount and the 2nd respondent has already withdrawn the amount. He contended that ends of justice would be met, if the orders of the Labour Court to the extent of granting interest at 12% p.a. on the ex-gratia amount are set aside.

Learned counsel for the 2nd respondent has contended that the principal amount of ex-gratia of Rs.55,000/- was already deposited and the same was withdrawn by the 2nd respondent and, therefore, appropriate orders may be passed in the writ petition.

This Court having considered the rival submissions made by the parties is of the considered view that ends of justice would be met, if the orders passed by the Labour Court to the extent of granting interest at 12% p.a. on the ex-gratia amount are set aside and, accordingly, it is set aside and the rest of the orders passed by the Labour Court is confirmed.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed. No order as to costs.

ABHINAND KUMAR SHAVILI, J

12th December, 2018
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(disposed of)

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