

HON' BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.21108 of 2004

ORDER:

When the matter is taken up for hearing, learned Standing Counsel for petitioner-Corporation submitted that the subject matter of the writ petition is squarely covered by the decision of the Division Bench of this Court in *The Regional Manager, APSRTC vs. Sk.Gulam Rasool*¹, as per which respondent-workman is entitled for 50% of the wages for the put-off period and therefore, prayed to pass appropriate orders in this writ petition modifying the impugned order dated 13.7.2004 holding that respondent-workman is entitled for half of the wages for the put-off period in stead of full wages as directed by respondent No.2. Further, pursuant to the interim order dated 18.11.2004 passed by this Court in WPMP No.27651 of 2004, 50% of the wages had already been deposited and hence, respondent-workman is not entitled for any amounts payable by petitioner Corporation.

2. Having considered the above submissions and in the light of the decision cited supra, respondent No.2 erred in passing the

¹ 2003(2) ALT 376

impugned order granting full wages to the respondent-workman.

This Court is of the considered view that ends of justice would be met if the impugned order is modified to the extent that respondent workman is entitled for 50% of the wages for the put-off period which has already been paid by petitioner-Corporation.

3. Accordingly, the writ petition is allowed to the extent indicated above. No costs.

Miscellaneous Petitions, if any, pending in this writ Petition shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 17.12.2018

KPM

