

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION Nos. 22632 and 23308 of 2003

COMMON ORDER:

Since the issue raised in both the writ petitions is one and same, they are heard together and being disposed of by this common order.

For the sake of convenience, the facts in W.P.No.22632 of 2003 are discussed hereunder:

The petitioners challenge the orders dated 12.03.2002 passed by the Assistant Commission of Labour, Nellore in M.W.Case No.166 of 2002.

It has been contended by the petitioners that the authority under the Minimum Wages Act has erroneously passed the impugned orders in favour of the respondent workmen even though they are not entitled.

It has been contended by the respondent workmen that the authority under the Minimum Wages Act has rightly passed the orders in their favour and hence no interference is called for, more so, when no grave irregularity or illegality is pointed out by the petitioners in the impugned orders.

While admitting the writ petitions, this Court granted interim suspension of the impugned orders on condition of the petitioners depositing half of the amount as awarded by the authority under the Minimum Wages Act and liberty is given to the respondents to withdraw the amount without furnishing any security.

Now, the only issue is with regard to payment of balance 50% of the amount to the respondent workmen.

Having considered the submissions made by the parties, this Court is of the view that no illegality or irregularity is pointed out by the petitioners in the impugned orders. When no illegality or irregularity has been pointed out by the petitioners in the impugned orders, this Court cannot interfere with the orders passed by the authority under the Minimum Wages Act. There are no merits in the writ petitions and the same are liable to be dismissed. However, ends of justice would be met, if the petitioners are directed to pay balance 50% of the amount as awarded by the authority under the Minimum Wages Act to the respondent workmen.

With the above observation, both the writ petitions are dismissed. Consequently, miscellaneous petitions, if any, pending in the writ petitions shall stand closed. No order as to costs.

ABHINAND KUMAR SHAVILI, J

22nd November, 2018

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Writ Petition Nos. 22632 & 23308 of 2003
(dismissed)

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