

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

and

The Hon'ble Sri Justice Gudiseva Shyam Prasad

Writ Appeal Nos.670, 672 & 673 of 2018

Date: 28.06.2018

WA.No.670 of 2018

Between:

Tirumala Tirupati Devasthanams
Rep. by its Executive Officer
Tirupathi, Chittoor District and another

... Appellants

and

The Industrial Tribunal –cum-
Labour Court, rep. by its Presiding Officer
Visakhapatnam and another

... Respondents

Counsel for the Appellants: Mrs.BV.Sesha Veni

Counsel for respondent No.1: GP for Labour

**Counsel for respondent No.2: Ms.Usha N.Kiran
for Mr.W.B.Srinivas**

The Court made the following:

Common Judgment: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This batch of Writ Appeals is filed against Common Order, dated 05-01-2018, in WP.Nos.19224, 22402, and 22403 of 2001.

We have heard Smt.B.V.Sesha Veni, learned Counsel for the appellants, and Ms.Usha N.Kiran, learned Counsel representing Mr.W.B.Srinivas, learned Counsel for respondent No.2.

Respondent No.2 in each of these Writ Appeals (herein after referred to as 'the contesting respondents') were engaged as daily wage workers with the appellants. At the time of their retrenchment, they were drawing a daily wage of Rs.43/-. They have raised three separate Industrial Disputes before respondent No.1- Tribunal questioning their retrenchment. The Tribunal *vide* its awards, dated 25-01-2001, declared the retrenchment of the contesting respondents as being in violation of the provisions of Section 25F of the Industrial Disputes Act, 1947, and directed their reinstatement with full back wages. Feeling aggrieved by the said awards, the petitioners have filed the aforementioned three Writ Petitions. The said Writ Petitions came to be disposed of by the impugned common order based on Judgment, dated 27.08.2015, in WP.No.14322 of 2002 and also on a Judgment of the Supreme Court in SLP.No.4013 of 2014 whereby it has

enhanced the compensation awarded by a Division Bench of this Court at Rs.40,000/- to Rs.1 lakh to each of the workmen, who were drawing a daily wage of Rs.10/- at the time of their retrenchment. The learned Judge, having considered the fact that the contesting respondents were drawing Rs.43/- at the time of their retrenchment and also having regard to their age and left over service, felt it appropriate and reasonable to fix the compensation at Rs.2,50,000/- each in lieu of their reinstatement into service with full back wages.

In our opinion, if we draw a comparison between the workmen to whom compensation of Rs.1 lakh was fixed by the Supreme Court and the contesting respondents and apply the same ratio, the latter would be entitled to Rs.4 lakhs each towards compensation. However, the learned Single Judge has taken into consideration the wages drawn by the contesting respondents, their age and the balance service available to them in the event of their reinstatement, and fixed only Rs.2,50,000/- as compensation to each of them which, in our opinion, is highly reasonable from the point of view of the appellants. In this view of the matter, we do not find any error apparent on the face of the record for interfering with the orders under Appeals in exercise of our Letters Patent Jurisdiction.

The Writ Appeals are, accordingly, dismissed.

As a sequel to dismissal of the Writ Appeals, Miscellaneous Petitions, pending if any, stand disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

(Gudiseva Shyam Prasad, J)

Dt: 28th June, 2018
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