

HON' BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 16574 of 2002

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 29.11.1989 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 03.09.2002 passed by this Court in WPMP No.20767 of 2002, 50% of the wages had already been deposited and hence, respondent-workman is not entitled for any amounts payable by petitioner Corporation.

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

AKS, J
WP_16574_2002
17.12.2018

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.

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.

17th September, 2018
MjI/*

ABHINAND KUMAR SHAVILI, J

