

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.2888 OF 2001

ORDER

This writ petition is filed seeking to issue a Writ of Certiorari calling for the records relating to and connected with the Award dated 27.11.1998 passed in I.D.No.156 of 1994 by the Industrial Tribunal-cum-Labour Court, Visakhapatnam and to quash or set aside the same by holding it as arbitrary and illegal.

Heard learned Government Pleader for Social Welfare appearing for the petitioners and Sri Ch.Venkata Ramana, learned counsel appearing for the respondent-workman.

Learned Government Pleader for Social Welfare contends that the deceased respondent-workman was engaged intermittently; that he never worked continuously for 240 days; that during pendency of the ID, the workman had died and his legal heirs were brought on record; that without appreciating any of the contentions raised by the petitioners, the Labour Court has erroneously passed the Award in favour of the deceased workman directing the petitioners to pay back wages to the legal heirs of the deceased workman.

Learned counsel appearing for the respondents submits that the Labour Court has rightly passed the Award in favour

of the deceased workman and there is no illegality or irregularity in the Award passed by the Labour Court.

While admitting the writ petition on 23.3.2001, this Court in WPMP No.3654 of 2001 granted interim suspension of the Award subject to condition of the petitioner deposits 50% of the amount awarded to the legal representatives of the deceased workman.

Now the issue that remains to be considered in this writ petition is in respect of payment of remaining 50% of the amount awarded by the Labour Court.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that unless a grave illegality or irregularity has been pointed out by the petitioners, this Court is not inclined to interfere with the Award passed by the Labour Court. There are no merits in the writ petition and the same is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

8th November, 2018
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