

HON'BLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION NO.4149 of 2010

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader.

This writ petition is filed to declare the action of the respondents in withholding and deducting 0.25% from the gross bill amounts payable to the petitioners work contracts towards National Academy of Construction and Chief Minister's Relief Fund as illegal and arbitrary.

Learned counsel for the petitioners submits that a similar issue arose in W.P.No.23750 of 2000 and batch dated 19.5.2005 and that the said writ petition was allowed; challenging the judgment in WP.No.23750 of 2000, the Government, Transport, Roads, and Buildings filed Writ Appeal No.2117 of 2005 & batch; the Division Bench of this Court dismissed the writ appeal on 21.7.2010 and that the matter was carried in appeal to the Hon'ble Supreme Court in Petition(s) for Special Leave to Appeals (Civil) CC.No.19964-19970 of 2010 and the Hon'ble Supreme Court refused to interfere with the judgment of this Court and dismissed the appeal.

Both the learned counsel for the petitioners and the learned Government Pleader agree that the matter is covered by the judgment in WP. No.23750 of 2000 dated 19.7.2005 and Writ Appeal No.2117 of 2005 and batch dated 21.7.2010.

Accordingly, this Writ Petition is allowed in terms of W.P.No.23750 of 2000 and batch dated 19.7.2005. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

KONGARA VIJAYA LAKSHMI, J

Date: 13/11/2018
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