

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

**WRIT PETITION Nos. 6588, 6589, & 6741 of 2008, 8830 of 2009,
790, 3192, 4026, 5203, 23168, 24979, 25509, 31415 and 32967 of 2010**

COMMON ORDER:

These writ petitions are being disposed of by this common order as the relief sought is one and the same.

These writ petitions are filed questioning the deduction of 1% labour cess from the bills payable to the petitioners for execution of the works which were entrusted to them.

The main contention raised in all these writ petitions is to the effect that the State did not add 1% labour cess in the estimates, as such, the petitioners are not liable to pay the same.

It may be noted that in similar circumstances, the learned Single Judge of this Court allowed W.P.No.9111 of 2010 & batch *vide* common order, dated 28.11.2013. Aggrieved by the said common order, the State preferred W.A.No.1012 of 2013 and batch and the Division Bench of this Court *vide* common judgment, dated 06.08.2015, allowed the said writ appeals by setting aside the common order, dated 28.11.2013. It may also be noted that as against the common judgment, Civil Appeal No.6223 of 2016 and batch was filed and the Hon'ble Supreme Court in **Lanco Anpara Power Limited Vs. State of Uttar Pradesh and**

others¹ confirmed the order passed by the Division Bench of this Court.

Following the aforesaid judgments, these writ petitions are dismissed in terms thereof.

Consequently, the miscellaneous petitions, if any shall stand dismissed. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dt:22.10.2018

kdl



¹ ((2016) 10 Supreme Courtg Cases 329