

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.11160 OF 2001

ORDER:

1. This writ petition is filed seeking to issue a writ of Certiorari calling for the records relating to and connected with M.P.No.32 of 1999 on the file of the 2nd respondent-Labour Court and to quash the order dated 20.3.2001 passed therein.

2. Heard and perused the material available on record.

3. It is the case of the petitioners that the 1st respondent-workman worked as a Traffic Inspector, Grade-III in Ramachandrapuram depot from 29.8.1997 to 4.2.1998, and on the ground of sickness, he did not attend duty from 28.10.1997 to 22.12.1997. After recovery, he joined duty and claimed wages for the period from 28.10.1997 to 22.12.1997. As the petitioners did not agree to pay the same, the respondent-workman filed M.P.No.32 of 1999 before the Labour Court. The Labour Court allowed the petition and directed the petitioners to pay a sum of Rs.12,000/- to the workman towards the wages for the sick period together with interest @ 12% p.a., from 30.4.1998 the date of superannuation of the workman. Aggrieved by the same, the petitioners filed this writ petition.

4. Learned Standing Counsel for the petitioners contended that the alleged sickness of the respondent-workman is not true

and the certificates produced by the workman are manipulated and that the workman is not entitled to claim wages for the sick period and that the Labour Court has failed to consider the contentions raised by the petitioners and therefore, the order impugned is liable to be set aside.

5. The learned Counsel for the respondent-workman contended that the Labour Court has rightly passed the order impugned and the order impugned does not warrant any interference and that there are no merits in this writ petition.

6. This Court having considered the rival submissions made by the parties and the material on record, is of the view that the Labour Court after considering the oral and documentary evidence passed the order impugned. No illegality or irregularity has been committed by the Labour Court in passing the order impugned. This Court does not find any merits in this writ petition to interfere with the order impugned.

7. Accordingly, the Writ Petition is dismissed. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Dated: 6.11.2018.

Nn.

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