

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.26771 OF 2003

ORDER

In spite of the matter being listed under the caption “for dismissal”, none appears and no representation is made on behalf of the petitioner.

Challenging the order dated 10-12-2003 passed in S.A.No.10 of 2003 by the Assistant Commissioner of Labour-III, Hyderabad-second appellate authority, the present writ petition is filed.

The respondents-workmen were employed by the petitioner. As the petitioner failed to pay the wages, the respondents-workmen filed S.C.No.6 of 2000 before the first appellate authority i.e., Labour Officer-III, Hyderabad. The first appellate passed order on 16.04.2003 in favour of the respondents-workmen. Challenging the same, the petitioner filed S.A.No.10 of 2003 before the second appellate authority i.e., Assistant Commissioner of Labour-III, Hyderabad. The second appellate authority *vide* order dated 10.12.2003 partly allowed the appeal and directed the petitioner to deposit the total amounts as shown against the names of the respondents-workmen within ten days. Challenging the same, the present writ petition is filed.

While admitting the writ petition on 24.12.2003, this Court in WPMP No.33887 of 2003 granted interim stay subject to condition of the petitioner depositing 50% of the amount awarded by the second appellate authority.

Now the issue that remains to be considered in this writ petition is in respect of payment of balance amount of 50% to the respondents-workmen.

Having regard to the facts and circumstances of the case, this Court is of the considered view that unless a grave irregularity or illegality has been pointed out by the petitioner, this Court is not inclined to interfere with the orders passed by the first appellate authority as well as second appellate authority. 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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