

THE HON'BLE SRI JUSTICE P.KESHA VA RAO

WRIT PETITION NO.5132 OF 2015

ORDER:

1. Heard the learned counsel for the petitioner as well as the learned GP appearing for respondent Nos. 1 to 5 and learned Standing Counsel appearing for respondent No.6.

2. The prayer sought in the Writ Petition is as under:

“....to issue an order, direction or writ more particularly one in the nature of writ of Mandamus declaring the inaction of respondent Nos. 1 to 5 in resolving the charter of demands dt. 10.10.2013 submitted by the petitioner union, further in not initiating action against the 6th respondent management in respect of payment of the arrears of bonus for the accounting years 2012-13 and 2013-14 as illegal, arbitrary and violative of the provisions of the Industrial Disputes Act, 1947 the Payment of Bonus Act, 1965 and other relevant Statues and consequently direct respondent Nos. 1 to 5 either to resolve or to refer the dispute of charter of demands to the Industrial Tribunal Cum Labour Court, Visakhapatnam for adjudication without further delay and initiate action against 6th respondent for not paying the arrears of Bonus for the said period to the members of petitioner union.”

3. During the course of hearing, learned counsel for respondent No.6, relying on the counter affidavit, brought to the notice of this Court that the statutory bonus for the bonus year 2013-2014 was paid to all the eligible workmen in cash on 20.3.2015. The proof of receiving of the said bonus is also annexed to the counter affidavit. It is also mentioned in the counter that respondent No.6 was gracious enough in paying the ex gratia amount along with statutory bonus to all the eligible workmen. As far as the statutory bonus and ex gratia payment for the bonus year 2012-2013 is concerned, it was released on 5.1.2015 by crediting an amount of Rs.33,92,703/- to respective bank accounts of all the workmen. As

far as charter of demands is concerned, the same was placed before the Labour Court vide I.D.No.48 of 2015.

4. Learned Counsel for respondent No.6 further brought to the notice of this Court that the said I.D.No.48 of 2015 was closed.

5. Learned counsel for the petitioner has not disputed the said facts.

6. In the light of the above, no further orders are required in the Writ Petition.

7. Accordingly, Writ Petition is closed.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

Date: 23.11.2018

KPM

P. KESHA VA RAO,J

