

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.10729 OF 2005

ORDER:

1. When this matter is taken up for hearing, the learned Counsel for the petitioner submits that the authority under the Minimum Wages Act allowed the claim made by the workers along with one time compensation. He further submits that the petitioner paid the claim made by the workers and paid an amount of Rs.66,193/-. He further submits that the authority has imposed one time compensation to a tune of Rs.66,193/-, and the order passed by the authority may be set aside only to the extent of granting one time compensation in favour of the workers.

2. Perusal of the material on record discloses that the petitioner has not impleaded the workers at whose instance the authority under the Minimum Wages Act passed orders. In the absence of affected persons, this writ petition cannot be adjudicated on merits. Further, it is pertinent to note that the authority under the Minimum Wages Act has power to impose ten times compensation whereas in the instant case, the authorities imposed only one time compensation, which is equitable to the facts of the case. On this ground also, the Writ Petition is liable to be dismissed.

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

JUSTICE ABHINAND KUMAR SHAVILI

Dated: 21.12.2018.

Nn.



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