

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.5351 OF 2002

ORDER:

1. This writ petition is filed seeking to issue a writ of Certiorari calling for the records relating to and connected with the order dated 27.2.2002 in M.P.No.20 of 2000 on the file of the 1st respondent-Labour Court by holding the same as illegal, arbitrary and contrary to the judgment of this Court dated 25.4.2000 in W.P.No.5087 of 2000, and consequently, to direct the 2nd respondent to pay the wages for the period from 1.4.2000 to 22.6.2000.

2. Heard Sri J. Ramachandra Rao, learned Counsel for the petitioner and the learned Government Pleader for Labour.

3. It has been submitted by the learned Counsel for the petitioner that the petitioner filed M.P.No.20 of 2000 before the 1st respondent-Labour Court seeking wages from 1.4.2000 to 22.6.2000 and the Labour Court vide order dated 27.2.2002 gave a finding that the rights and liabilities of the employer and the workmen are to be adjudicated in I.D.No.18 of 2001, which emanated after initiation of conciliation proceedings, and until and unless I.D.No.18 of 2001 is pending, the relief sought in the M.P. cannot

be granted, and challenging the same, the present writ petition has been filed.

4. It is not in dispute that I.D.No.18 of 2001 was pending before the Labour Court for the very same relief. In view of the same, this Court is of the view that the Labour Court is justified in not granting any relief in the M.P. filed by the petitioner. The petitioner-Union will have to pursue their remedies in I.D. No.18 of 2001 on the file of the Labour Court.

5. Accordingly, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.



(ABHINAND KUMAR SHAVILI, J)

Dated: 24th July, 2018
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Dated: 24.7.2018

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