

**HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI****W.P.No.17184 OF 2006****ORDER**

**This writ petition is filed seeking the following relief:**

“To issue a writ, order or direction more particularly one in the nature of Writ of Certiorari after calling for the records relating to the order in Case No.M.W.7/2005, dated 11.7.2006 on the file of the first respondent and quash the same.”

**Heard learned counsel on either side.**

The petitioners are Managing Partners of ‘Om Industries’, which is a seasonal industry, and doing rice mill business. They engaged the 2<sup>nd</sup> respondent-workman as rice mill operator. While so, the 2<sup>nd</sup> respondent had filed a petition before the 1<sup>st</sup> respondent-Authority under the Minimum Wages Act claiming an amount of Rs.66,283/- towards difference in wages, wages for overtime work and for work on weekly holidays, along with delay condonation application. The 1<sup>st</sup> respondent had entertained the said claim petition, condoned the delay and numbered the same as M.W.No.7 of 2005. Thereafter, the 1<sup>st</sup> respondent *vide* order dated 11.7.2006 allowed the claim petition directing the petitioners to pay an amount of Rs.35,476/- towards wages to the 2<sup>nd</sup> respondent-workman. Challenging the same, the present writ petition is filed.

Learned counsel appearing for the petitioners submits that since he left the services on his own, the Authority ought not to have granted the wages of Rs.35,476/- to the 2<sup>nd</sup> respondent, and that the 2<sup>nd</sup> respondent was paid the due wages, bouns and service compensation.

Learned counsel appearing for the 2<sup>nd</sup> respondent submits that the Authority has rightly passed the impugned order and it needs no interference by this Court.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the view that since the petitioners failed to establish the claim with proper evidence and also failed to produce the relevant records, the Authority has rightly passed the impugned order. Unless and until grave irregularity or illegality has been pointed out by the petitioners, this Court is not inclined to interfere with the same. 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.

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JUSTICE ABHINAND KUMAR SHAVILI

*4<sup>th</sup> February, 2019*  
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