

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 20290 OF 2005

ORDER :

This writ petition is filed for the following relief;

“.....to issue an appropriate Writ, Order or a direction, preferably one in the nature of a Writ of *Mandamus* directing the respondents 1 to 3 herein to implement the orders in the Government's Gazette Notifications No.524, dated 26.11.2002 and Gazette No.40, dated 27.01.2005 and to pay the full differential amounts to which the petitioner is entitled according to the said two Notifications without any deductions, declaring the said deductions made from the payment bills without notice to the petitioner as illegal, arbitrary, unwarranted and pass such other order or orders as may be deemed fit and proper in the circumstances of the case and in the interest of justice.”

Learned Counsel for the petitioner submits that the petitioner entered into agreement with the respondent Corporation for the work of cleaning, sweeping and maintenance of the Jubilee Bus Station, Picket, Secunderabad, for the licence period from 01.01.2002 to 31.12.2003; and that the Government has issued Gazette Notifications vide Gazette No.524, dt.26.11.2002 and Gazette No.40, dated 27.01.2005, notifying the enhancement of minimum wages from the date of issuance of the said two notifications, but the respondent Corporation in gross violation of the terms and conditions did not implement the orders of the Government enhancing the minimum wages, notified in the aforesaid Gazettes.

Sri N.Vasudeva Reddy, learned Standing Counsel for TSRTC submits that the petitioner entered into agreement with the respondent

Corporation for the licence period from 01.01.2002 to 31.12.2003, as such the aforesaid G.Os have no application. He also submits that if the petitioner has paid the enhanced amount of wages to the employees, then he is entitled for recovery.

In this case it is to be seen that licence period entered into by the petitioner with the respondent Corporation is only from 01.01.2002 to 31.12.2003, as such, Gazette No.40, dated 27.01.2005 does not apply to the said period. Only Gazette Notification No.524, dt.26.11.2002 applies to the said period from 26.11.2002.

In view of the same, the writ petition is disposed of directing the respondent Corporation to consider the claim of the petitioner in terms of the Gazette Notification No.524, dt.26.11.2002, for the period which is applicable to the licence period, if the petitioner has paid the enhanced amounts to the employees. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

14.10.2019
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A.RAJASHEKER REDDY, J

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