

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.22045 of 2003

ORDER:

When the matter is taken up for hearing, Government Pleader appearing for the petitioners had contended that the Labour Court had mechanically passed the order dated 25.07.2003 in MP.No.52 of 2000 directing the petitioners herein to pay an amount of Rs.1,46,674-20 ps to the 1st respondent herein. Government Pleader further contended that on 21.10.2003, this Court was pleased to grant interim suspension of the impugned order subject to the condition that the petitioners deposit half of the amount awarded by the Labour Court, and in pursuance of the interim orders dated 21.10.2003, the petitioners have deposited 50% of the amount determined by the Labour Court. Government Pleader had further contended that the Labour Court has mechanically passed the impugned order in favour of the 1st respondent without looking into the calculation sheet filed by the petitioners.

This Court, having considered the above submissions, is of the considered view that the petitioners have not filed the calculation sheet, which was filed before the Labour Court, as a material paper before this Court, and in the absence of the same, this Court cannot adjudicate the case on merits and appreciate the contention of the Government Pleader that the calculation sheet was not considered by the Labour Court. A perusal of the impugned order passed by the Labour Court clearly shows that the Labour Court has considered the

case of the petitioners and, after examining the case thoroughly, allowed the MP in favour of the 1st respondent – workman. Government Pleader could not point out any grave irregularity or illegality in the impugned order passed by the Labour Court, so as to interfere with the same. Moreover, the petitioners have already paid half of the amount determined by the Labour Court to the 1st respondent and the only issue is about payment of balance 50% of the amount. Considering all these aspects and also the fact that this is a long pending case, in order to give quietus to this litigation, this Court is not inclined to interfere with the impugned order passed by the Tribunal.

Accordingly, the writ petition is dismissed. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

31-12-2019

v v