IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.570 OF 2019

Countrywide Logistic India Pvt. Ltd. .. Petitioner

Vs.

The Goods Transport Labour Board
(Greater Mumbai) & Ors. .. Respondents

...

Ms. Mayuri Karekar i/b Mr. D.S. Pagare for the Petitioner.

Mr. M.S. Topkar for Respondent No.1.

Ms. Nisha Mehra, A.G.P. for Respondent Nos.3 and 4.

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CORAM: PRADEEP NANDRAJOG, C.J. &
SMT. BHARATI DANGRE, J.

DATED : 24th JANUARY, 2020.

P.C:-

1. Request made by proxy counsel to defer hearing of the Writ Petition is declined for the reason we find that on the pleadings in the Writ Petition, no relief can be granted to the Petitioner.

2. The Petitioner employs labourers for its work of loading and unloading. The labour is provided by the Goods Transport Labour Board.

3. On the issue of disbursement of Dearness Allowance to the workers employed, entitlement of labour engaged by the Petitioner was not disputed before the Inquiry Officer appointed by Mathadi Board. The stand taken by the Petitioner, and as pleaded in the Writ Petition was that the workers i.e. the labourers had resorted to acts of negligence and misconduct.

4. Now, if a labourer performs duties negligently or resorts to action which are a misconduct then the service of such labourer has to be terminated. Same cannot be a ground not to pay your wages.

5. Nothing of the kind has been done by the Petitioner.

6. The Writ Petition is accordingly dismissed.

(SMT. BHARATI DANGRE, J.) (CHIEF JUSTICE)

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