

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.18319 of 2022

Kailasha Nanda

.....

Petitioner

Mr. B.P. Tripathy, Adv.

-Versus-

State of Odisha & others

.....

Opp. Parties

Mr. P.K. Muduli, AGA

CORAM:

JUSTICE S. TALAPATRA

JUSTICE M.S. SAHOO

ORDER

05.09.2022

Order No.

02.

1. This matter is taken up through Hybrid Mode.
2. Heard Mr. B.P. Tripathy, learned counsel appearing for the petitioner-workman.
3. By means of this writ petition, the workman has challenged the inaction of the authority in registering a claim that has been submitted on 21.04.2021, Annexure-1 to this writ petition. According to Mr. Tripathy, learned counsel, on the aforementioned date, the petition for exercising the power under sub-section-(3) of Section-20 of the Minimum Wages Act, 1948 had been filed by the workman. The said application was filed before the appropriate authority by the workman raising a claim of Rs.2,39,085/- as the outstanding wages for the period he served from 28.02.2008 to 15.05.2019 before his termination, which is under challenge before the Labour Court.

4. Mr. Tripathy, learned counsel has submitted that the said claim petition has not yet been registered, even though over a year has elapsed by now.

5. Mr. P.K. Muduli, learned Addl. Government Advocate has appeared for the Opp. Party No.2 in particular on advance notice and has submitted that this writ petition may be disposed of with a direction to the Opp. Party No.2 to register the said claim case in accordance with law and to take the proceeding to its logical end.

6. In view of the above statement made by Mr. Muduli, learned Addl. Government Advocate, we without making any observation on merit, remit the matter to the Opp. Party No.2. The Opp. Party No.2 is directed to register the claim case, if not registered already, and to take a decision on merit, within a period of six months, considering the nature of the claim, as made by the workman.

7. If the Opp. Party No.2 is not the appropriate authority, he should transmit the records to the appropriate authority on whom, the direction will equally apply.

8. In terms of the above, this writ petition stands disposed of.

(S. Talapatra)
Judge

(M.S. Sahoo)
Judge



