

HON'BLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION No.21699 of 2009

ORDER:

Heard the learned counsel for the petitioner and also the learned Government pleader for Labour.

2. PERUSED THE RECORD.

3. The petitioner approached the Court seeking the relief as follows:

"..... It is therefore, prayed that this Hon'ble Court may be pleased to issue an order, direction or Writ more particularly one in the nature of Writ of Certiorari and after calling for the records in M.W. Case No.19 of 2004 on the file of the Hon'ble 1st Respondent and quash the order dated 21.10.2008 and consequently set aside the order dated 21.10.2008 passed by the 1st respondent and pass such further other order or orders as this Hon'ble Court deem fit and proper under the circumstances of the case."

4. This Court vide its Orders, dated 12.10.2009 in W.P.MP.No.28194 of 2009 in W.P.21699 of 2009 was pleased to pass the Interim orders in favour of the petitioner, suspending the orders passed in MW Case No.19 of 2004, dated 21.10.2008 by the 1st respondent.

5. The learned senior designated counsel Sri G.Ravi Mohan appearing on behalf of the petitioner brings to the notice of the court that the alleged differences of

amount had been paid to the workmen consequent to the inspection made by the Assistant Labour Officer-10, Hyderabad through cheques.

6. The Counter affidavit filed on behalf of the learned counsel for the petitioner herein in M.W.Case No.19 of 2004 before the Hon'ble authority under section 22 of the Minimum Wages Act and Deputy Commissioner of Labour, Hyderabad (twin cities) para-3 reads as under:

“ It is respectfully submitted that all the workmen named in the annexure are working as helpers only, but not as Salesmen. However, the alleged difference of amount has been paid to the workmen consequent to the inspection made by the Appellant herein through cheques and the respondent is ready to file those necessary documents at the time of evidence.”

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7. As material documents in support of the present writ petition, the petitioner has filed certain affidavits of workmen and a bare perusal of the same clearly indicates that the workmen have stated in the said affidavits that they have no claim whatsoever against the petitioner herein.

8. The Learned Assistant Government Pleader for Labour appearing on behalf of the respondents does not dispute the submissions putforth by the learned senior counsel appearing on behalf of the petitioner.

9. Recording the above submissions, the Writ petition is closed. However, there shall be no order as to costs.

10. Interim orders granted on 12.10.2009 in WP.MP.No.28194 of 2009 shall also stand vacated.

Miscellaneous petitions, if any, pending shall stand closed.

MRS JUSTICE SUREPALLI NANDA

25th January, 2023
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