



W.P.No.20599 of 2014

passed in C.P.No.217 of 2007, quash the same and consequently, direct the second respondent to pay the amount as claimed in C.P.No.217 of 2007.

For petitioner	...	Mr.S.T.Varadharajulu
For respondents	...	R.1 – Labour Court Ms.Lakshmi Priya for M/s.Gupta& Ravi For R.2

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ORDER

This writ petition is filed questioning the order passed by the learned Additional Labour Court, Vellore/first respondent rejecting the Computation Petition in C.P.No.217 of 2007 filed by the workman against the second respondent/Safura Tanning Company.

2. The facts in brief are that the petitioner has worked for more than thirteen years from 1/5/1993 as a Helper in the second respondent Company. On 19/7/2006, he was denied employment without assigning any reason, thereby, the petitioner has addressed a letter to the second



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respondent on 21/7/2006, seeking for employment. Since, there was no reply, petitioner has raised Industrial Dispute, under Section 2 A (2) of the Industrial Disputes Act, 1947, which was taken on file by the learned Additional Labour Court, Vellore as I.D.No.204 of 2007 which was ultimately dismissed on 12/12/2011, by way of an award

3. The petitioner has filed C.P.No.217 of 2007, seeking difference of wages, as the second respondent has paid lesser wages, ignoring the wage settlement, however, the same was not considered by labour Court and C.P.No.217 of 2007 was dismissed. Aggrieved by the same, the present writ petition is filed.

4. The second respondent Management has not filed counter affidavit in this writ petition, however, the counter filed before the labour Court in C.P.No.217 of 2007 is perused.

5. Heard Mr.S.T.Varadharajulu, learned counsel for the petitioner and Ms.Lakshmi Priya, learned counsel for the second respondent and perused the record including impugned order.



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6. The main contention of the learned counsel appearing for the petitioner is that the second respondent has not paid wages including the bonus, etc., as per the wage settlement.

7. The learned counsel appearing for the second respondent has submitted that whatever required to be paid to the petitioner has already been paid and there are no dues. It is also further submitted that the wages Settlement mentioned by the petitioner is not applicable as the second respondent has not signed the wage settlement and the petitioner was also not the member of the Union which allegedly entered into the wage settlement.

8. It is the contention of the petitioner that he has joined the second respondent Company in the year 1993, however, material is placed by the second respondent go to show that the second respondent Company was started only in the year 1998 and that the petitioner has failed to produce any record to show that he joined the second respondent in the year 1993 itself. The petitioner has also failed to place any material as to what are the dues, the petitioner is entitled from the second respondent.



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The learned counsel for the petitioner has submitted that labour Court has simply observed, without any basis, that all the dues which are to be paid by the second respondent have already been paid. Learned counsel for the petitioner has however admitted that the documents that are necessary to be filed before the labour Court have not been filed, thereby, sought for remanding this matter to the trial Court .

9. The petitioner who has approached the labour Court with a specific plea that wages and bonus have not been paid, has failed to file any record as to the dues to be paid to petitioner. The impugned order of the labour Court is very clear and that the labour Court has rightly concluded that there are no merits in the contentions raised by the petitioner. Once impugned order is not perverse, this Court in this writ petition cannot interfere with the award.

10. In view of the above, this writ petition is dismissed. No costs.

6/2/2024

mvs.

Index: Yes/No



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Neutral Citation: Yes/No

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To

1. The Presiding Officer
Additional Labour Court
Vellore
Vellore District.



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Dr.D.NAGARJUN,J

mvs.

Pre-delivery order made in
W.P.No.20599 of 2014

6/2/2024