

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
THURSDAY ,THE SEVENTH DAY OF APRIL TWO THOUSAND AND
TWENTY TWO

:PRESENT:

THE HONOURABLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA

and

THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT APPEAL NO: 245 OF 2022

Between:

Smt. Pathigulla Sarada, W/o. Rambabu, aged about 34 years, Occ. Ex-Employee of Union Bank (Andhra Bank) Ananthapalli Branch, Nallajarla Mandal, West Godavari District, R/o. 4-56, Ananthapalli, Nallajaria Mandal, West Godavari District, Andhra Pradesh -534111.

Appellant/Respondent No.2 in W.P.

AND

1. Union Bank of India, Represented by its Managing Director and Chief Executive Officer, Central Office , 239, Union Bank bhavan , Vidhan Bhavan Marg, Nariman Point, Mumbai, Maharashtra 400021.
2. Regional Head, Union Bank of India, Regional Office, ELURU, West Godavari District, Andhra Pradesh 534002.
3. Branch Head, Union Bank of India Ananthapalli, Nallajaria Mandal, West Godavari District, Andhra Pradesh 534111.

Respondents/Petitioners in W.P.

4. The Regional Labour Commissioner, (Central) and The Authority under the Minimum Wages Act 1948, Sivam Road, Vidyanagar, Hyderabad, 'T-clangana State.

Respondent

Writ Appeal under Clause 15 of the Letter Patent Act, praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to set aside the order passed by the learned single judge dated 09-03-2022 in I.A.No.1 of 2022 in W.P.no.12114 of 2022;

IA.No.1 of 2022:

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to Suspend the order passed by the learned single judge dated 09-03-2022 in I.A.No. 1 of 2022 in W.P. No. 12114 of 2022. with a direction to the respondents herein to implement the order passed by the Authority Under Minimum Wages Act. 1948 and Regional Labour Commissioner (Central). Hyderabad in Application No. 46/30/2020-E1 dated 17-01-2022, in the case of the appellant herein, pending disposal of WA No. 245 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of SRI CH

GANESH Advocate for the Petitioner and SRI K LAKSHMI NARASIMHA (SC) for the Respondents 1 to 3 and Sri Namavarapu Rajeshwar Rao (ASSGI) for the Respondent 4, the Court made the following.

ORDER:

The present writ appeal is arising out of the order dated dated 09.03.2022 passed by the learned Single Judge in W.P.No.12114 of 2022.

The undisputed facts of the case reveal that an order has been passed by the Authority under the Minimum Wages Act, 1948 (for short "the Act"), as a claim was made by the appellant/workman, who worked as a Safai Karmachari/Scavenger, stating that she has not been paid wages as per the Act. The workman in question was posted in the State of Andhra Pradesh and the respondent/Bank has preferred the present writ petition before this Court. The learned Single Judge has stayed the order passed by the Authority under the Act.

Learned counsel for the appellant/workman has argued before this Court that the respondent/Bank has taken the work of the post of Safai Karmachari/Scavenger and has not paid wages and the appellant/workman is having a large family to support. He has also stated that the order passed by the competent authority under the Act does not suffer from any illegality or infirmity.

Learned counsel for the appellant/workman has been able to make out a *prima facie* case for grant of interim relief.

Resultantly, the operation of the impugned order passed by the learned Single Judge is stayed.

Let a detailed counter affidavit be filed in the matter.

List the matter on 07.07.2022.

//TRUE COPY//

SD/-M.MANJULA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Managing Director and Chief Executive Officer, Union Bank of India, Central Office, 239, Union Bank bhavan, Vidhan Bhavan Marg, Nariman Point, Mumbai, Maharashtra 400021.
2. The Regional Head, Union Bank of India, Regional Office, ELURU, West Godavari District, Andhra Pradesh 534002.
3. The Branch Head, Union Bank of India Ananthapalli, Nallajaria Mandal, West Godavari District, Andhra Pradesh 534111.
4. The Regional Labour Commissioner, (Central) and The Authority under the Minimum Wages Act 1948, Sivam Road, Vidyanagar, Hyderabad, 'T-clangana State (1 to 4 by RPAD)
5. One CC to SRI. CH GANESH Advocate [OPUC]
6. Two spare copies

HIGH COURT

HCJ & AKSJ

DATED:07/04/2022

POST ON 07-07-2022

ORDER

WA.No.245 OF 2022

STAY

