

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

WEDNESDAY, THE TWENTY SIXTH DAY OF JULY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

**THE HON'BLE SMT JUSTICE P.MADHAVI DEVI
WRIT PETITION NO: 17460 OF 2023**

Between:

M/s. IBM India Private Limited, Having office at Mindspace, Survey No. 64, APIIC Software Layout, Hi-Tech City, Madhapur, Hyderabad - 500 081, Also having office at Embassy Golf Links Business Park, Block-A, office Indiranagar, Koramangala, Intermediate Ring Road, Bengaluru - 560 071, Karnataka State, India, Represented by its Counsel and Authorized Signatory, Mr. Santosh Sreedharan

Petitioner

AND

1. State of Telangana, Department of Labour, Represented by its Principal Secretary, Secretariat, Hyderabad, Telangana.
2. The Assistant Commissioner of Labour, Ranga Reddy, & The Hon'ble Appellate Authority under Section 48(1) of the Telangana Shops and Establishments Act, 1988. T. Anjaiah Karmika Samkshema Bhavan, R.T.C. 'X' Roads, Chikkadpally, Hyderabad - 500 020.
3. Sri Gadapa Sri Ram Sai Srinivas, S/o. Sri. Gadapa Satyanarayana, R/o. Flat 104, Sri Nainas Sunrise Apartment Narsingi Main Road, Opp Govt. Ladies Hostel Puppallaguda, Rangareddy District.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ of Certiorari or any other Writ calling for records pertaining to the Order dated 09.05.2023 passed by the 2nd Respondent in SE No.29 of 2019 and consequently quash the Order dated 09.05.2023 passed by the 2nd Respondent in S.E No.29 of 2019 as being patently illegal, arbitrary and wholly without jurisdiction;

IA NO: 1 OF 2023

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 dated 09.05.2023 passed by the 1st Respondent in SE No.29 of 2019, pending disposal of WP.No.17460 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI MALLU NETHAN REDDY, Advocate for the Petitioner, GP FOR SERVICES-I for the Respondent Nos.1 & 2, SRI SAI PRASEN GUNDAVARAM, learned counsel for the Respondent No.3, the Court made the following.

ORDER:

Notice before admission.

Learned Government Pleader for Services-I takes notice on behalf of respondents 1 and 2 and waives further notice.

Sri Sai Prasen Gundavaram, learned counsel takes notice on behalf of respondent No.3 and waives further notice.

Learned counsel for the petitioner, on instructions, submitted that 50% of the back wages would be deposited before the Authority under the Telangana State Shops and Establishment Act, 1988. He also submitted that the petitioner will be continued to be paid the salary from July, 2023 onwards until further orders from this Court or till the 3rd respondent attains the age of superannuation.

In view of the same, the impugned order dt.09.05.2023 shall remain suspended.

List this matter on 23.08.2023

SD/-P. PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Department of Labour, State of Telangana, Secretariat, Hyderabad, Telangana.
2. The Assistant Commissioner of Labour, Ranga Reddy, and The Hon'ble Appellate Authority under Section 48(1) of the Telangana Shops and Establishments Act, 1988. T. Anjaiah Karmika Samkshema Bhavan, R. T. C. X Roads, Chikkadpally, Hyderabad - 500 020.
3. Sri Gadapa Sri Ram Sai Srinivas, S/o. Sri. Gadapa Satyanarayana, R/o. Flat 104, Sri Nainas Sunrise Apartment Narsingi Main Road, Opp: Govt. Ladies Hostel, Puppallaguda, Rangareddy District.
(for addresses 1 to 3 by RPAD)
4. One CC to SRI. MALLU NETHAN REDDY Advocate [OPUC]
5. Two CCs to GP FOR SERVICES-I, High Court at Hyderabad. [OUT]
6. One spare copy

HIGH COURT

PMD.J

DATED:26/07/2023

Note: LIST THIS MATTER ON 23.08.2023.

ORDER

WP.No.17460 of 2023

SUSPENSION

