

(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL,
TWO THOUSAND AND SIXTEEN

:PRESENT:
THE HON'BLE SRI DILIP B. BHOSALE, THE ACTING CHIEF JUSTICE
AND
THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WP : 12350 of 2016

Between:

- 1 M/s. Kirby Building Systems India Pvt. Limited,
Plot No. 8-15, IDA, Phase-III, Pashamylaram-502307,
Patancheru Mandal, Medak District, Telangana State
- 2 Rockwool India Pvt. Limited,
1st Floor, Century Building, Plot Nos. 21 & 22,
Rohini Layout, Madhapur, Hyderabad.
- 3 Indian Immulogicals Limited,
Plant, Rakshapuram, Gachibowli Post, Hyderabad.
- 4 Employees Federation of Southern India
Telangana and A.P. Branch, 3rd Floor, Topaz Complex,
Amrutha Hills, Punjagutta, Hyderabad, Telangana.

..... PETITIONERS

AND

Union of India, Ministry of Labour & Employment, Shramashakthi Bhavan, Rafi
Marg, New Delhi -110 001, Rep. by its Secretary.

.....RESPONDENT

WHEREAS the Petitioners above named through their Advocate SRI C. NIRANJAN RAO presented this writ petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court may be pleased to issue an order, direction or Writ more particularly one in the nature of Writ of Mandamus or any other appropriate writ (i) to declare the Payment of Bonus Act (Amendment) Act, 2015 (Act 16 of 2016) published in the Government of India Gazette on 1-1-2016 with retrospective effect as illegal, arbitrary and contrary to the provisions of the Payment of Bonus Act, 1965; (ii) To declare that linkage of Minimum wages to the Payment of Bonus Act is unconstitutional (iii) and consequently quash and set aside the Payment of Bonus Act (Amendment) Act, 2015 (Act 16 of 2016) published in the Government of India Gazette on 1-1-2016 in the interest of justice and equity;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri C. NIRANJAN RAO, Advocate for the Petitioners, directed issue of notice to the Respondent herein returnable on 11-07-2016 to show cause as to why this writ petition should not be admitted in the circumstances set out in the petition and the affidavit filed in the Writ Petition;

You viz ;

The Secretary, Ministry of Labour & Employment, Union of India, Shramashakthi Bhavan, Rafi Marg, New Delhi -110 001.

are directed to show cause as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this writ petition should not be admitted.

THE COURT MADE THE FOLLOWING ORDER:

Issue notice to the respondents returnable on 11-07-2016.

In the meanwhile, no coercive steps shall be taken against the petitioners in respect of period prior to 31-03-2015. We make it clear that we have passed this order in view of similar orders passed by different High Courts, in particular, the order of the Allahabad High Court in Benara Udyog Ltd., vs. Union of India and three others (2016 SCC Online All 99).

Sd/- G. RAJESHWARA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To