

In the Court of Sh. Anuj Saharan HLS, Authority, Under The Minimum Wages Act, 1948, Circle-1, Gurugram.

Case No.- 01/MWA/2016
Date of decision: 30/12/2016

Bibha Devi R/o House No. 1253, Gali No. 12, Kapashera, New Delhi.

.....Applicant

Versus

M/s Modelama Exports Limited, Plot No. 105-106, Udyog Vihar, Ph- 1, Gurugram.

.....Respondent

Presence:- Sh. Ravishankar Kumar A.R. for the applicant.
Sh. Sanjeev Yadav for the respondent.

ORDER

This order shall dispose of the prayer of respondent on preliminary objection of the respondent on very maintainability of this claim.

Respondent management raised the objection of maintainability as there is no condonation of delay application with the claim and the claim is not in proper format given in the Act. Claimant has raised the ground of condonation of delay in claim petition and argued that claimant is an illiterate lady and she did not know about the technicalities of the law and couldn't raised the claim before.

After hearing both the parties and after perusal of records on case file this court is of view that the labour legislations are enacted in view of resolving the grievances of workers and to get them speedy disposal of their claims without going in legal technicalities of law as most of the workers are not in knowledge of their rights.

As far as the claim of minimum wages is concerned it is a matter of fact and law both which can be proved only by the evidences by both the parties. So the preliminary objection of the respondent regarding non maintainability of the claim has been rejected. Notice to be issued to both the parties to present their case so that case would be decided on merits.


order as to cost.

Inform the parties.

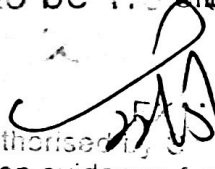
Announced

Date:- 30-12-2016




(Anuj Saharan)
Authority.

**Certified to be True Under the Minimum Wages Act, 1948,
Circle-1, Gurugram.**


Authorised Signatory of
Indian Evidence Act 1879

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ACT 2015