

Kerala High Court

Bhageeratha Engineering Ltd. vs Superintendent Of Police on 29 September, 1999

Equivalent citations: (2000) III LLJ 1299 Ker

Author: J Koshy

Bench: J Koshy

JUDGMENT J.B. Koshy, J.

1. Original Petition is filed for police protection to the staff, employees and property of the petitioner. Petitioner is a contractor for doing the work of widening the N.H. Road and the work is carried out in a speedy manner. This is a matter of public importance and delay in completion of the work will cause difficulties not only to the exchequer but it will affect the entire public. The work cannot be delayed. Contention of the petitioner is that workers represented by respondents 5 to 11 are obstructing the work with a demand that loading and unloading work should not be done by mechanical devices and all works should be given to them. It is true that registered headload workers in the area can only do the loading and unloading work in the scheme covered area unless petitioner has got registered workers with identity cards. It is submitted that members of respondents 5 to 11 unions are having identity cards. But, they can claim work only for loading and unloading if actually necessary. According to the petitioner loading and unloading works are done by mechanical devices such as Excavator, Bulldozer etc. Respondents Unions cannot compel the petitioner not to use mechanical devices and for using mechanical devices no amount is also payable to the Unions and if any obstruction is caused by the members of the respondents 5 to 11 so that work can be done expeditiously. However, if there is any loading and unloading work left that should be given to the registered workers with identity cards of the local area in the absence of registered workers by the petitioner under the Headload Workers Act.

2. The Original Petition is disposed of with the above direction.