

Emperor Vs. Naga Tima

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SooperKanoon Citation : sooperkanoon.com/340256

Court : Mumbai

Decided On : Sep-16-1912

Reported in : (1912)14BOMLR956; 17Ind.Cas.789

Judge : Batchelor and ;Rao, JJ.

Appeal No. : Criminal Reference No. 80 of 1912

Appellant : Emperor

Respondent : Naga Tima

Judgement :

1. In our opinion Act XIII of 1859 (Workmen's Breach of Contract Act) is a Statute which calls for strict interpretation, and the agreement which has been closely analysed by the learned Sessions Judge appears to us to fall outside that Statute. The reasons for that view have been given by the Sessions Judge, and we need not recapitulate them. It will be enough for us to say that the respondent before us was not an employer or master within the meaning of the Statute, but was, in our opinion, a mere broker or middle man for the purpose of supplying labour to the employer or master and the terms of the agreement seem to us, in many respects, to lie wholly outside the scope of the Act.

2. We must therefore set aside the order passed by the First Class Magistrate.

