

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3748 of 2014

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Bakar Ali Son Of Late Nek Mohammad Miyan Resident Of Belahiya,
P.O.- Raghunathpur, District- East Champaran

.... Petitioner/s

Versus

1. The Chairman, Champaran Keshtriya Gramin Bank, Head Office, Motihari, P.O.- Motihari, P.S.- Town, District- East Champaran Now Known As Uttar Bihar Gramin Bank, H.O. Kalambag Chowk, Muzaffarpur
2. The Presiding Officer, Central Government Industrial Tribunal No. 1, Dhanbad
3. The Regional Labour Commissioner (Central), Room No. 16, 17 And 19 Second Floor, A Block, Mourya Lok Commercial Complex, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uma Kant Shukla
For the Respondent/s : Mr. Prabhakar Jha

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 14-07-2015 Heard Sri Uma Kant Shukla, learned counsel for the petitioner and Sri Prabhakar Jha, learned counsel, who appears on behalf of the respondent no. 1.

The petitioner, invoking writ jurisdiction of this court under Article 226 of the Constitution of India, has prayed for quashing of an order dated 11.12.2012 passed by the Presiding Officer, Central Government Industrial Tribunal No. -1, Dhanbad (hereinafter referred to as the 'Tribunal'), in Reference Case No. 81 of 1991, which was referred under Section 10(1)(d)(2A) of the Industrial Dispute Act, 1947. By the said Award, Reference was rejected.

Learned counsel for the petitioner submits that petitioner was a messenger in the Bank, however, abruptly, he was stopped from functioning, and as such, he raised the dispute which has been turned down by the Tribunal. From the order impugned it appears that on behalf of the petitioner it was indicated that on oral order he was engaged, however, stand was taken by the Management that the petitioner was a Daily Wager. Besides this, there is material to suggest that petitioner while functioning as Daily Wager was indulged in misconduct, and thereafter, he himself left the work place. After examining the Award, the court is of the opinion that there is no defect in the same.

The writ petition stands dismissed.

(Rakesh Kumar, J)

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