

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.329 of 2015

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Mobina Khatoon widow of Late Abdul Hakim at present residing at Raza Market, Mohalla - Mahatmana, P.O. + P.S. Fulwarisharif, District - Patna
..... Petitioner

Versus

1. The State of Bihar
2. The Presiding officer, Industrial Tribunal, Patna
3. The Bihar State Road Transport Corporation through its Managing Director, Parivahan Bhawan, Birchand Patel Marg, Patna
4. The Chairman, Bihar State Road Transport Bihar State Power (Holding) Co. Ltd., Vidyut Bhawan, Bailey Road, Patna through its Chairman - cum - Managing Director, Vidyut Bhawan, Bailey Road, Patna
5. The Managing Director, Bihar State Road Transport Corporation, Parivahan Bhawan, Birchand Patel Marg, Patna
6. The Additional Managing Director, Bihar State Road Transport Corporation, Parivahan Bhawan, Birchand Patel Marg, Patna
7. The Divisional Manager, Bihar State Road Transport Corporation, Fulwarisharif, Patna

..... Respondents

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Appearance :

For the Petitioner/s : Mr. Renu Jha

For the Respondent/s : Mr. Sc16- Abbas Haidar

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 02-02-2015 Heard learned counsel for the parties.

The husband of the petitioner was employed as a Driver in Bihar State Road Transport Corporation. He on account of certain misconduct was subjected to a departmental proceeding and ultimately was dismissed from service on 3.10.1991. As against the aforementioned order of dismissal the Bihar State Road Transport Corporation in terms of Section 33(2)(b) of the Industrial Disputes Act had sought approval of the Industrial Tribunal and the Tribunal after hearing the counsel for the

husband of the petitioner by its order dated 13.10.1993 had upheld the order of dismissal and had accorded approval as sought for by the Bihar State Road Transport Corporation whose two orders of dismissal approving such dismissal of the husband of the petitioner was made subject matter of C.W.J.C.No. 10414/1994 and the same was dismissed to have abated by an order dated 29.11.1999. Subsequently the petitioner being the wife had filed M.J.C.No. 2939/2000 for recalling the order of dismissal of the writ application filed by the husband of the petitioner but this Court by an order dated 8.7.2003 had refused to recall the order dated 29.11.1999.

Thus, when the earlier writ application filed by the husband of the petitioner had been dismissed even as to have abated and the prayer for recalling of such abatement order was also rejected by this Court, I do not find any reason now to reopen the whole thing, especially when the order of removal of the husband of the petitioner is of the year 1991 and has been also approved by the Industrial Tribunal. This writ application in fact is wholly ill-advised and is, accordingly, dismissed.

(Mihir Kumar Jha, J)

surendra/-

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