

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16266 of 2009

Arising Out of PS.Case No. -0 Year- null Thana -null District- MUNGER

Dr. Dinesh Chandra Singh @ Dr. D. C. Singh, son of Sameshwar Nath Singh,
D.G.M., Personnel Department, UCO Bank, H.O.-Calcutta (West Bengal)

.... Petitioner/s

Versus

The Labour Enforcement Officer (Central), Patna-II, Incharge Bhagalpur, Maurya
Lok Complex, 2nd Floor 'A' Block, P.S.-Kotwali, district- Patna.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Matloob Rab, APP

Mr. Awadhesh Kumar Pandey, SCCGC

Mr. Ravindra Kumar Sharma, CGC

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 31-07-2015

The Petitioner seeks quashing of the order of cognizance dated 26.04.2008 passed in Complaint Case No.71-C 7 of 2008 by the Chief Judicial Magistrate, Munger, as also the order dated 24.11.2008 passed by the Sessions Judge, Munger, in Cr. Revision No.347 of 2008 by which he has affirmed the aforesaid order.

The case of the Complainant is that the Petitioner had failed to produce the registers required to be maintained in Form-D and, thus, violated Section 8 read with Rule 6 of the Equal Remuneration Act.

It has been submitted on behalf of the Petitioner that he

was required to be noticed before institution of the Complaint, but no such notice was given to him and the Complaint has been filed much after the period of limitation.

On the other hand, counsel for the Complainant submits that they had adhered to all the legal procedure and hence, the Complaint Petition be not quashed.

Having considered the facts, I am inclined to allow the application.

Hence, the order of cognizance dated 26.04.2008 passed in Complaint Case No.71-C 7 of 2008 by the Chief Judicial Magistrate, Munger, as also the order dated 24.11.2008 passed by the Sessions Judge, Munger, in Cr. Revision No.347 of 2008 are hereby set aside.

The application stands allowed.

(Anjana Prakash, J)

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