

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6720 of 2001

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Executive Engineer, Public Health Mechanical Division, Purnea through Chandra Kant Pandey son of Mr. G.P.Pandey.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Munna Kumar Singh s/o Chakradhar Prasad Singh.
3. Pushpa Devi wife of Subodh Kumar Singh.
Both residents of village Bhagwanpur (Bancholha) P.O. Arrah, P.S. Sour Bazar, District Saharsa.
4. The Presiding Officer, Labour Court, Purnea.

.... Respondent/s

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Appearance :

For the Petitioner/s :	Mr. R.R.B.P.SINHA
	Mr. Birendra Kant Choudhary
For the Respondent/s :	Mr. SC 7
	Mr. Alok Kumar Sinha
	Mr. Madhuri Lata-1

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 30-03-2015

Heard counsel for the petitioner and the respondents.

In this case petitioner is challenging the order dated 13th January 2001 passed in Reference Case No. 1 of 1996 by which the Labour Court, Purnea granted relief of reinstatement with full back-wages to Munna Kumar Singh, respondent no.2 and full back-wages to the wife of Subodh Kumar Singh, namely, Respondent no.3 over the above additional amount of Rs.15,000/-also.

As it appears that both Munna Kumar Singh and Subodh Kumar Singh were employed by the Management of Public Health Mechanical Division, Purnea for the period 1st February 1988 to 30th April 1989 i.e. a year and odd. They worked as Pump *Khalasi* cum-Chaukidar during that period. They were terminated from the service without following the provisions of Section 25F of the Industrial Disputes Act.

Reference was made to the Labour Court which was registered as Case No. 1 of 1996. The Labour Court after examining the material on the record, arrived to the conclusion that their termination of service was illegal on account of non-compliance of Section 25F of the Industrial Disputes Act.

In stead of deciding the petition on merit, the parties are agreeable for resolution of this case in term of payment of suitable compensation to the respondent nos. 2 and 3, as Muna Kumar Singh and Subodh Kumar Singh have worked only for one year and odd.

In the circumstances, this Court modifies the award to the extent that both of them should be paid Rs.20,000/- (twenty thousand) each.

Petitioner is directed to pay the aforesaid amount to respondent nos. 2 and 3 within a period of three months from the date of receipt/production of copy of this order.

If any amount has been paid to them against the award, that will be adjusted against the aforesaid amount of Rs.20,000/-.

With this observation/direction, this petition is disposed of.

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(Shivaji Pandey, J)