

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.222 of 2014

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Management of Sahara India, Bhagalpur Regional Office, Chandra Lok Complex, Bhagalpur through Neeraj Kumar Pal, authorized signatory, Zonal Chief, Sahara India Limited, Zonal Office, Anand Marg Bhawan, 16 Purulia Road, Ranchi, (Jharkhand)

.... Petitioner/s

Versus

1. The State of Bihar through Principal / Secretary, Department of Labour and Employment, New Secretariat
2. Presiding Officer, Labour Court, Bhagalpur
3. Shiv Shankar Singh, C/o Ramji Singh, village-Surkhiwal, P.S. Tilkamanjhi, District-Bhagalpur

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Arun Shrivastav, Advocate

For the Respondent/s : Mr. Ajay Bihari Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 01-05-2015 Heard Mr. Arun Shrivastav, learned counsel for the petitioner and learned counsel for the State.

Counter affidavit has been filed. Let it be kept on record.

The petitioner is aggrieved by the order dated 15.4.2013 passed by the Presiding Officer, Labour Court, Bhagalpur whereby he has recorded a finding that the enquiry conducted by the petitioner Management has not been fair.

Mr. Shrivastav learned counsel for the petitioner while questioning this finding of the Labour Court has submitted that this would prejudice the case of the petitioner but what I find from the impugned order is that the opinion of the Labour Court on the

reference made under the provision of the Industrial Disputes Act giving rise to Reference Case No. 2 of 2008 is on an issue so framed. The matter yet remains pending for final adjudication.

In the circumstances where the Reference Case remains pending for final adjudication before the Labour Court, Bhagalpur, this Court is not required to interfere with such finding of the Labour Court at this stage and the writ petition is disposed of leaving it open for the petitioner to raise all issues including the present one upon final adjudication of the matter before the appropriate forum, in case the matter is decided against his interest.

The writ application is disposed of accordingly.

(Jyoti Saran, J)

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