

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.5990 of 2013

In

Civil Writ Jurisdiction Case No. 12947 of 2013

=====

1. State Bank Of India Canteen Karmachari Singh Sangh, Patna Circle
Through Its President, Pawan Kumar, S/O Sri Kameshwar Singh Resident
Of Village And P.O- Chapramegh, P.S- Mushahari, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State Of Bihar.
2. Mr. Subhash Sharma, The Principal Secretary, Department Of Labour,
Govt. Of Bihar, Patna.
3. Mr. Suresh Kumar Sinha, The Labour Commissioner, Govt. Of Bihar,
Patna
4. Mr. Rakesh Sharma, The Chairman, Circle Welfare Committee, Local
Head Office, State Bank Of India, West Gandhi Maidan, Patna.
5. Mr. Rakesh Sharma, The Secretary, Circle Welfare Committee, Local
Head Office, State Bank Of India, West Gandhi Maidan, Patna.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Prashant Sinha, Advocate
For the State : Mr. Yogendra Pd. Sinha, AAG 15,
Mr. Shankar Kumar AC to AAG 15
For Respondent Nos. 4 & 5: Mr. S.D. Sanjay, Sr. Advocate
Mr. Abhishte Kumar, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

19 15-10-2015 Heard the parties.

Learned counsel for the petitioner submits that
opposite party has violated the order dated 13.9.2013 passed
in C.W.J.C. No.12947 of 2013.

This Court has disposed of the aforesaid writ petition
with a direction to the Labour Commissioner, Patna to take
steps in accordance with law, for implementation of his

orders contained in Annexure 3 as soon as possible.

It has been submitted by the learned counsel for the petitioner that this matter relates to non-payment of minimum wages and they had come to this Court under writ jurisdiction for a direction to the respondent to pay at least statutory minimum wages and for that Labour Commissioner has earlier passed an order for payment of minimum wages fixed by the State Government.

During course of argument learned counsel for the petitioner has averred that the issue of payment of minimum wages under the Minimum Wages Acts are pending before the Deputy Labour Commissioner at different districts. When already a proceeding has been initiated there is no need to issue direction to the Labour Commissioner to implement his orders, it will be duplication of the proceeding. Authorities are in seisin of the matter they would compute the amount whatever the members of State Bank of India Karamchari Sangh, Patna are entitled.

In such view of the matter, there is no need to proceed further with the matter. Accordingly this proceeding is dropped. However, it is expected that the authorities before

whom the case under Minimum Wages Act are pending they should complete the enquiry within a period of six months from the date of receipt/production of a copy of this order. If after computation it is found that members are entitled for payment in that circumstance the authority under the Minimum Wages Act would be required to take steps in accordance with law.

(Shivaji Pandey, J)

Vinay/-

U			
---	--	--	--