

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1194 of 2014

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1. The Bharat Sanchar Nigam Limited Through The Chief General Manager (Maintenance), Telephone Bhawan, 6th Floor, 34-R.R.D. Bagh, Kolkata - 00001
 2. The Chief General Manager (Maintenance), Telephone Bhawan, 6th Floor, 34 R.R.D. Bagh, Kolkata - 00001
 3. The General Manager (Maintenance), E.T.R. Central Telegraph, Office Building, 2nd Floor, Budh Marg, Patna - 800001

.... Petitioner/s

Versus

1. Union Of India Through The Secretary, Ministry Of Labour, Govt. Of India, New Delhi
2. The Asst. Labour Commissioner (Central), Ministry Of Labour, Govt. Of India, 2nd Floor, Block - A, Maurya Lok Complex, Dak Bunglow Road, Patna - 1
3. Sri Dev Kumar Pandey Son Of Shyam Narayan Sharma Resident Of Village - Siparadih, P.O. - Dhelwan, P.S. - Fulwa Present P.S. - Beur, District - Patna (Bihar)

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad Singh
For the Respondent/s : Smt. Kanak Verma

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 16-07-2015 Heard Sri Harendra Prasad Singh, learned counsel for the petitioners and Smt. Kanak Verma, learned Central Government Counsel.

The present writ petition has been filed on behalf of the Bharat Sanchar Nigam Limited against an Award which was notified on 27th September , 2012. The Award was prepared on 31.8.2012 in Reference Case No. 02(C) of 2009/10(C) of 2009. After the publication of the Award since it was not implemented it appears from the record of the writ petition that a proceeding

has also been initiated under Section 30 of the Industrial Disputes Act, 1947, in view of expiry of 30 days of the publication of the Award. By the Award the learned Tribunal on the basis of evidences brought on record by the workman /respondent no. 3 and also evidence of management witness who had not disputed vouchers as well as Peon Book corroborating that the respondent no. 3 had worked continuously for 240 days the Tribunal replied the Reference in favour of the workman. The Award was prepared in the month of August 2012, and thereafter, proceeding was initiated in view of non-implementation of the Award. Only thereafter, the present writ petition has been filed by the petitioners in the year 2014.

In view of the fact that after the publication of the Award same was not implemented and only after initiation of proceeding under Section 30 the petitioners have approached this court, the writ petition may not be entertained.

The writ petition stands dismissed.

(Rakesh Kumar, J)

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