

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6972 of 2015

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1.Md. Alauddin son of Late Bhudan Mian, resident of village Dhiwar P.s. Phatehpur, District Gaya. At present, Resident of Mohalla Raja Bazar, PS. B.V. College, District Patna.

2.Permanand Thakur, son of late Banshi Thakur, resident of Mohalla Adarsh Nagar, P.S.Phulwarisarif, District Patna.

3.Ram Kripal Pandit, son of late Shree Pandit, resident of Mohalla Indrapuri, P.S. Shastri Nagar, District Patna.

4.Md. Barkattullah Khan, son of late Md. Jaharul Hame Khan, resident of Raja Bazar Samanpura, P.S. Shastri Nagar Madarsa Gali, District Patna.

5.Sunil Kumar, son of late Raghunandan Singh, resident of Mohallah Vishnupuri Chitkohra, P.S. Gardanibagh, District Patna.

.... Petitioner/s

Versus

1.The State of Bihar.

2.The Bihar State Sugar Corporation Limited through its Managing Director Udyog Bhawan, East Gandhi Maidan, Patna.

3.The Principal Secretary, Government of Bihar, Sugar Cane Industry Department, Bihar, Patna.

4.The Managing Director of the Bihar State Sugar Corporation Limited, Udyog Bhawan, East Gandhi Maidan, Patna.

5.The General Manager, Bihar State Sugar Corporation Limited, Udyog Bhawan, East Gandhi Maidan, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Suresh Kumar Ishwar, Adv

For the Respondent/s : Mr. Sandeep Kumar- GA8 with Mr. Vivekanand Singh AC to GA-8

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 05-05-2015 Heard learned counsel for the parties.

Having regard to the fact that the petitioners are employees of Bihar State Sugar Corporation (in liquidation) having privilege of workman, their grievance that certain decision of Wage Board in their favour is not being implemented in the exit plan framed



by the Bihar State Sugar Corporation, this Court would find it difficult to issue any direction to the respondents because of availability of statutory alternative remedy under Section-33C(2) of the Industrial Disputes Act or even under payment of Wages Act, the petitioners' remedy in fact will be only before the appropriate Labour Court where the issue relating to payment of wages as prescribed by the Wage Board can be effectively gone into.

That being so, this writ application is wholly misconceived and is, accordingly, dismissed.

The dismissal of this writ application however will not stand in the way of the petitioners in moving before the appropriate Labour Court.

(Mihir Kumar Jha, J)

Ranjan/-

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