

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 16145 of 2014

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Jwahar Jha, Son of Late Antrayami Jha, resident of Village – Baulia, Police Station – Nauhatta, District – Rohtas, secretary Chuna Pathar Khan Mazdoor Union, Baulia, Rohtas (Bihar).

.... Petitioner

Versus

1. The Union of India through Companies Affairs.
2. The State of Bihar through Secretary, Department of Industries, Bihar.
3. The General Manager, Sone Valley Cements Co. Ltd., 2nd Floor, Shahi Bhawan, Exhibition Road, Patna-1.
4. The Deputy Personal Manager, Sone Valley Cements Co. Ltd. 2nd Floor, Shahi Bhawan, Exhibition Road, Patna-1.
5. The Managing Director, Sone Valley Cements Co. Ltd. Maurya Hotel, 3rd Floor, Near Gandhi Maidan, Patna-1.
6. The Regional Labour Commissioner (Central) Maurya Lok Complex, A- Block, 2nd Floor, Patna-1.
7. The Assistant Labour Commissioner (Central) Maurya Lok Complex, A-Block, 2nd Floor, Room No. 6/16, Patna-1.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Respondent/s : AC to GP - 22

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 16-07-2015 Heard learned counsel for the petitioner and learned
A.C. to Govt. Pleader – 22.

The petitioner, invoking writ jurisdiction of this Court under Article 226 of the Constitution of India, has prayed for quashing of an order contained in Annexure – 9 to the writ petition, whereby the claim of the petitioner in respect of due amount against the respondent no. 4 & 5 i.e. Sone Valley Cements Co. Ltd. stood rejected, on the plea that on address given by the petitioner in respect of respondents, no notice could be served as

also, Labour Enforcement Officer submitted a report that the establishment situated in Patna has already been closed.

In this case, the petitioner has brought on record an order passed by a Bench of this Court dated 02-07-2013 in C.W.J.C. No. 1159 of 2012. On going through the order of this Court, it is evident that the company i.e. respondent no. 3 & 4 has already gone in liquidation vide Company Petition No. 5 of 1991.

In view of the fact that the company has already gone in liquidation and the fact that notice earlier issued on the company returned unserved, the Court is of the opinion that the learned Assistant Labour Commissioner (Central) has rightly closed the proceeding, vide Annexure – 9 to the writ petition. If so advised, the petitioner may avail appropriate remedy.

The writ petition stands disposed of.

(Rakesh Kumar, J.)

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