

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.258 of 2014

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Shankar Prasad Tanti @ Sah son of Late Narayan Tanti @ Sah, resident of
Mohalla-Jallahi, P.S. Mojaheedpur, District - Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Labour Deptt. Govt. of Bihar, Patna
2. Labour Superintendent, Bhagalpur
3. M/s Nagpur Vastralaya, Cloth Shop, Bhagalpur, Lakali Gali, Hardeo Das Lane (In front of Enara) P.S. Kotwali, District- Bhagalpur
4. Rajesh Sah @ Lala son of Shayam Sundar Sah, resident of Kalali Gali, Hardeo Das Lane (In front of Enara) P.S. Kotwali, District - Bhagalpur

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Dharendra Nath Jha, Advocate

For the Respondent/s : Mr. Avinash Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 15-05-2015 Heard Mr. Dharendra Nath Jha, learned counsel for the petitioner and Mr. Satyendra Rai, Assisting Counsel to SC-30 for the State.

The petitioner has questioned the order dated 28.1.2013 passed by the Presiding Officer, Labour Court, Bhagalpur in B.S.E. Case No. 3 of 2009 whereby the Labour Court while not accepting the plea of illegal removal of the petitioner has directed for payment of salary for the month of August, 2008 together with interest @ 6 per cent.

Whereas it is the case of the management that the petitioner left his job on his own volition, the petitioner on his part

claims termination but there is nothing on record to support the plea taken by the petitioner.

The Labour Court has rejected the claim of the petitioner insofar as it is directed against removal on grounds that it was time barred; that the plea of removal was not supported with materials rather the evidence reflected a voluntary surrender of the job.

In the circumstances discussed, the order passed by the Labour Court requires no interference. The writ petition is disposed of.

S.Sb/-

(Jyoti Saran, J)

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