

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15843 of 2013

Bihar Rajya Data Entry Operators (Contract) Association, Through Its General Secretary, Ashutosh Kumar Pathak, Son Of Braj Kishor Pathak Having Its Office At House No. 40, Road No.- 8, East Patel Nagar, P.O. And P.S.- L.B. Shastri Nagar, Patna- 800023

.... Petitioner/s

Versus

1. The State Of Bihar through Chief Secretary, Government of Bihar, Patna
2. Department Of Road Construction through Its Secretary, Government of Bihar, Patna
3. The Principal Secretary, Department Of Road Construction, Government of Bihar, Patna
4. Department Of Finance through Its Secretary, Government of Bihar, Patna
5. The Principal Secretary, Department Of Finance, Government of Bihar, Patna
6. Department Of Information and Technology through Its Secretary, Government of Bihar, Patna
7. The Principal Secretary, Department Of Information and Technology, Government of Bihar, Patna
8. General Administrative Department through Its Secretary, Government of Bihar, Patna
9. The Principal Secretary, General Administrative Department, Government of Bihar, Patna
10. Bihar Electronic Development Corporation Limited (Beltron) Through Its Managing Director, Bailey Road, P.S. Shastri Nagar, Patna
11. The Managing Director, Bihar Electronic Development Corporation Limited (Beltron), Bailey Road, P.S.- Shastri Nagar, Patna
12. Electronic Net Through Its Director Regd. Office- 18, Telegraph Colony, Kidwaipuri, Patna And At Present- Sheikhpura House, Beldari Tola, Sheikhpura, Shastri Nagar, Patna
13. Director, Electronic Net, Regd. Office- 18, Telegraph Colony, Kidwaipuri, Patna And At Present- Sheikhpura House, Beldari Tola, Sheikhpura, Shastri Nagar, Patna

.... Respondent/s

With

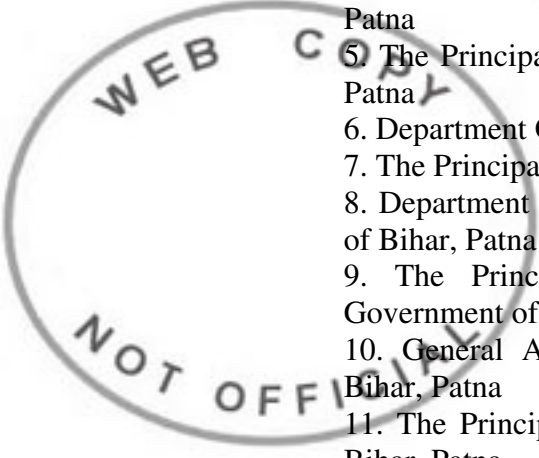
Civil Writ Jurisdiction Case No. 15883 of 2013

Bihar Rajya Data Entry Operators (Contract) Association, Through Its General Secretary, Ashutosh Kumar Pathak, Son Of Braj Kishor Pathak Having Its Office At House No. 40, Road No.- 8, East Patel Nagar, P.O. And P.S.- L.B. Shastri Nagar, Patna- 800023

.... Petitioner/s

Versus

1. The Bihar Human Rights Commission, Through Its Secretary, 9, Bailey Road, Patna

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2. The Secretary, Bihar Human Rights Commission, 9, Bailey Road, Patna
 3. The State Of Bihar through Chief Secretary, Government of Bihar, Patna
 4. Department Of Home (Special) Through Its Secretary, Government of Bihar, Patna
 5. The Principal Secretary, Department of Home (Special), Government of Bihar, Patna
 6. Department Of Finance through Its Secretary, Government of Bihar, Patna
 7. The Principal Secretary, Department Of Finance, Government of Bihar, Patna
 8. Department Of Information and Technology through Its Secretary, Government of Bihar, Patna
 9. The Principal Secretary, Department Of Information and Technology, Government of Bihar, Patna
 10. General Administrative Department through Its Secretary, Government of Bihar, Patna
 11. The Principal Secretary, General Administrative Department, Government of Bihar, Patna
 12. Bihar Electronic Development Corporation Limited (Beltron) Through Its Managing Director, Bailey Road, P.S. Shastri Nagar, Patna
 13. The Managing Director, Bihar Electronic Development Corporation Limited (Beltron), Bailey Road, P.S.- Shastri Nagar, Patna
 14. Electronic Net Through Its Director Regd. Office- 18, Telegraph Colony, Kidwaipuri, Patna And At Present- Sheikhpura House, Beldari Tola, Sheikhpura, Shastri Nagar, Patna
 15. Director, Electronic Net, Regd. Office- 18, Telegraph Colony, Kidwaipuri, Patna And At Present- Sheikhpura House, Beldari Tola, Sheikhpura, Shastri Nagar, Patna

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 15939 of 2013

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Bihar Rajya Data Entry Operators (Contract) Association, Through Its General Secretary, Ashutosh Kumar Pathak Son Of Braj Kishor Pathak, Having Its Office At House No. 40, Road No.-8, East Patel Nagar, P.O. And P.S.- L.B.Shastri Nagar, Patna- 800023.

.... Petitioner/s

Versus

1. The State Of Bihar through Chief Secretary, Government of Bihar, Patna
2. Department Of Finance through Its Secretary, Government of Bihar, Patna
3. The Principal Secretary, Department Of Finance, Government of Bihar, Patna
4. Department Of Information and Technology through Its Secretary, Government Of Bihar, Patna
5. The Principal Secretary, Department Of Information and Technology, Government of Bihar, Patna
6. General Administrative Department through Its Secretary, Government of Bihar, Patna
7. The Principal Secretary, General Administrative Department, Government of Bihar, Patna
8. Bihar Electronic Development Corporation Limited (Beltron) Through Its

Managing Director Bailey Road, P.S. - Shastri Nagar, Patna

9. The Managing Director, Bihar Electronic Development Corporation Limited (Beltron) Bailey Road, P.S. - Shastri Nagar, Patna

10. Electric Net Through Its Director Regd. Office- 18, Telegraph Colony, Kidwaipuri, Patna And At Present- Sheikhpura House, Beldari Tola, Sheikhpura, Shastri Nagar, Patna

11. Director, Electronic Net, Regd. Office- 18, Telegraph Colony, Kidwaipuri, Patna And At Present- Sheikhpura House, Beldari Tola, Sheikhpura, Shastri Nagar, Patna

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 15948 of 2013

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Bihar Rajya Data Entry Operators (Contract) Association, Through Its General Secretary, Ashutosh Kumar Pathak Son of Braj Kishor Pathak, Having Its Office At House No.40, Road No.8, East Patel Nagar, P.O. With P.S. L.B. Shastri Nagar, Patna - 800023

.... Petitioner/s

Versus

1. The State Of Bihar through Chief Secretary, Government of Bihar, Patna

2. Department Of Science and Technology through Its Secretary, Government Of Bihar, Patna

3. The Principal Secretary, Department Of Science and Technology, Government Of Bihar, Patna

4. Department Of Finance through Its Secretary, Government Of Bihar, Patna

5. The Principal Secretary, Department Of Finance, Government Of Bihar, Patna

6. Department Of Information and Technology through Its Secretary, Government Of Bihar, Patna

7. The Principal Secretary, Department Of Information and Technology, Government Of Bihar, Patna

8. General Administrative Department through Its Secretary, Government Of Bihar, Patna

9. The Principal Secretary, General Administrative Department, Government Of Bihar, Patna

10. Bihar Electric Development Corporation Limited (Beltron) Through Its Managing Director, Bailey Road, P.S. Shastri Nagar, Patna

11. The Managiing Director, Bihar Electronic Development Corporation Limited (Beltron), Bailey Road, P.S. Shastri Nagar, Patna

12. Electronic Net Through Its Director Regd. Office - 18, Telegraph Colony, Kidwaipuri, Patna And At Present - Sheikhpura House, Beldari Tola, Sheikhpura, Shastri Nagar, Patna

13. Director, Electronic Net, Regd. Office - 18, Telegraph Colony, Kidwaipuri, Patna And At Present - Sheikhpura House, Beldari Tola, Sheikhpura, Shastri Nagar, Patna 1

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 16257 of 2013

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Bihar Rajya Data Entry Operators (Contract) Association, Through Its General Secretary, Ashutosh Kumar Pathak Son Of Braj Kishor Pathak Having Its Office At House No. 40, Road No. - 8, East Patel Nagar, P.O. And P.S. - L.B. Shastri Nagar, Patna - 800023

.... Petitioner/s

Versus

1. The State Of Bihar through Chief Secretary, Government Of Bihar, Patna
2. Department Of Rural Works Through Its Secretary, Government Of Bihar, Patna
3. The Principal Secretary, Department Of Rural Works, Government Of Bihar, Patna
4. Department Of Finance through Its Secretary, Government Of Bihar, Patna
5. The Principal Secretary, Department Of Finance, Government Of Bihar, Patna
6. Department Of Information and Technology through Its Secretary, Government Of Bihar, Patna
7. The Principal Secretary, Department Of Information and Technology, Government Of Bihar, Patna
8. General Administrative Department through Its Secretary, Government Of Bihar, Patna
9. The Principal Secretary, General Administrative Department, Government Of Bihar, Patna
10. Bihar Electronic Development Corporation Limited (Beltron) Through Its Managing Director, Bailey Road, P.S. Shastri Nagar, Patna
11. The Managing Director, Bihar Electronic Development Corporation Limited (Beltron), Bailey Road, P.S. - Shastri Nagar, Patna
12. Electronic Net Through Its Director Regd. Office - 18, Telegraph Colony, Kidwaipuri, Patna And At Present - Sheikhpura House, Beldari Tola, Sheikhpura, Shastri Nagar, Patna
13. Director, Electronic Net, Regd. Office - 18, Telegraph Colony, Kidwaipuri, Patna And At Present - Sheikhpura House, Beldari Tola, Sheikhpura, Shastri Nagar, Patna

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 4512 of 2014

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Bihar Rajya Data Entry Operators (Contract) Association, through its General Secretary, Ashutosh Kumar Pathak, son of Braj Kishore Pathak, having its office at House No. 40, Road No.8, East Patel Nagar, P.O. and P.S. L.B.Shastri Nagar, Patna-800023

.... Petitioner/s

Versus

1. The State Of Bihar through Chief Secretary, Government Of Bihar, Patna
2. Department Commercial Taxes through its Secretary, Government Of Bihar, Patna
3. The Principal Secretary, Department Of Commercial Taxes, Government Of Bihar, Patna

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- 4. Department Of Finance through Its Secretary, Government Of Bihar, Patna
 - 5. The Principal Secretary, Department Of Finance, Government Of Bihar, Patna
 - 6. Department Of Information and Technology through Its Secretary, Government Of Bihar, Patna
 - 7. The Principal Secretary, Department Of Information and Technology, Government Of Bihar, Patna
 - 8. General Administrative Department through Its Secretary, Government Of Bihar, Patna
 - 9. The Principal Secretary, General Administrative Department, Government Of Bihar, Patna
 - 10. Department of Human Resources through its Secretary, Govt. of Bihar, Patna
 - 11. The Principal Secretary Department of Human Resources Govt. of Bihar, Patna
 - 12. Bihar Electronic Development Corporation Ltd. (Beltron) Through Its Director Beltron Bhawan, Bailey Road, P.S. Shashtri Nagar, Patna
 - 13. The Managing Director, Bihar Electronic Development Corporation Ltd. (Beltron) Through Its Director Beltron Bhawan, Bailey Road, P.S. Shashtri Nagar, Patna
 - 14. Electronic Net through its Director Regd. Office Opposite Jagat Ambika Apartment, Nalkup No.2, Braham Asthan Gali, P.S. Shastri Nagar, Shekhpura Patna
 - 15. Director Electronic Net Regd. Office Opposite Jagat Ambika Apartment, Nalkup No.2, Braham Asthan Gali, P.S. Shastri Nagar, Shekhpura Patna

.... Respondent/s

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Appearance :

(In CWJC No. 15843 of 2013)

For the Petitioner/s : Mr. Ratnesh Kumar Singh,
Mr. Sunil Kumar Singh
Mr. SANDEEP KUMAR
Mr. Sanjay Kumar Singh

For the State : P.N. Shahi, Sr. Advocate
Mr. GIRIJA SHANKAR PD
Mr. Grijesh Kumar
Mr. Sourendra Pandey
Mr. U.S.S. Siungh G.P.

(In CWJC No. 15883 of 2013)

For the Petitioner/s : Mr. RATNESH KUMAR SINGH
For the Respondent/s : Mr. RAJIV KUMAR SINGH

(In CWJC No. 15939 of 2013)

For the Petitioner/s : Mr. RATNESH KUMAR SINGH
For the Respondent/s : Mr. NIVEDITA NIRVIKAR

(In CWJC No. 15948 of 2013)

For the Petitioner/s : Mr. SANJAY PANDEY
For the Respondent/s : Mr. VINAY KRITI SINGH

(In CWJC No. 16257 of 2013)

For the Petitioner/s : Mr. SANJAY PANDEY
For the Respondent/s : Mr. G.K. AGRWAL

(In CWJC No. 4512 of 2014)

For the Petitioner/s : Mr. RATNESH KUMAR SINGH

For the Respondent/s : Mr. LALIT KISHORE (PAAG)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 19-07-2016

Heard Mr. Ratnesh Kumar Singh for the petitioners and Mr.

P.N. Shahi, AAG-10 for the State.

The writ applications are filed by the petitioners-Associations for a direction upon the State respondent to constitute the State Advisory Contract Labour Board (for short 'the Board) as required under section 4 of the Contract Labour (Regulation and Abolition) Act, 1970.

During the pendency of the writ applications, the State respondent vide notification dated 22.04.2015 (Annexure- 21 to I.A. No. 2757 of 2016) has constituted the Board in accord with the provision of the Act. The writ applications in that view of the matter, appear to have become infructuous

Mr. Singh, the counsel for the petitioner(s) has, however, contended that although the Board was constituted in April, 2015, but no meeting thereof has taken place and several applications/complaints are pending consideration. The petitioners-Associations have also filed application(s)/complaint(s) on 05.05.2013 which is/are pending consideration.

Mr. Shahi representing the State has taken a stand that if

fresh application(s)/complaint(s) by the petitioners-Association is/are filed, the same shall receive due consideration by the Board.

Having regard to the aforesaid stand taken by the State respondent, I am inclined to dispose of the writ applications by permitting the petitioners to file fresh application(s)/complaint(s) before the Board within six weeks. If any such application(s)/complaint(s) are filed, the Board shall consider the same and take appropriate decision and/or pass appropriate order in accordance with law within eight weeks of such filing.

The writ applications as well as the pending interlocutory applications stand disposed of.

(Kishore Kumar Mandal, J)

HR/-

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