

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1400 of 2014

Arising out of

Civil Review No. 105 of 2014

Arising out of

Civil Writ Jurisdiction Case No. 21595 of 2012

=====

Man Mohan Jha, S/o Late Anant Jha, Ex-helper, Mechanical Division Koshi Project, Birpur, Supul, at present R/O- Vill- Gospur, P.S.- Karjan Bazar, District- Supaul.

.... Workman- Petitioner-Appellant/s
Versus

1. The State of Bihar.
2. The Presiding Officer, Labour Court, Purnea.
3. The Secretary, Water Resources Department, Govt. of Bihar.
4. The Executive Engineer, (Mechanical) Division-II, Birpur, Supaul.
5. The Management of Mechanical Division, Koshi Project, Birpur, Supaul

....Employer/Opp. Parties/ Respondent/s

=====

Appearance :

For the Appellant : Mr. N. Sharma, Advocate
Mr. Kritya Nand Jha, Advocate

For the Respondents : Mr. Ashok Kumar Keshri, A.A.G.XI
Mr. Ratandeep Prasad, A.C. to A.A.G. XI

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

And

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 29-04-2016

The present Letters Patent Appeal arises out of an order passed by the learned Single Bench of this Court on 13th August, 2014 whereby the application for review of the order dated 19th February, 2014 passed in CWJC No.21595 of 2012 was dismissed.

It may be stated that Letters Patent Appeal No.291 of 2014 against the order of the learned Single Bench of this Court dated 19th February, 2014 in CWJC No.21595 of 2012 has been dismissed vide the separate order passed today.

In the present appeal directed against an order passed in civil review application, the appellant relies upon certain documents to show that he worked for more than 240 days in the years 1975-76. Admittedly, such documents were not before the Labour Court. The appellant cannot be permitted to adduce additional documents along with the civil review application to challenge the order passed by the learned Single Bench or that of the Labour Court. Still further, the document pertains to the period 1975-76, whereas as per the stand of the workman, he was re-engaged on 11th of March, 1981 for a period of 90 days. It is thereafter, the Labour Court has returned a finding that the appellant had not worked for more than 240 days.

We find that the review application is wholly untenable. Consequently, we do not find any error in the order passed by the learned Single Bench which warrants review of the order.

The Letters Patent Appeal, thus, stands, dismissed.

(Hemant Gupta, J.)

(Ahsanuddin Amanullah, J.)

Sunil/-

AFR/NAFR	
CAV DATE	N.A.
Uploading Date	03.05.2016
Transmission Date	