

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12335 of 2013

Arising Out of PS.Case No. -159 Year- 2011 Thana -GOVERNMENT OFFICIAL COMP. District- -
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Sunil Kumar Rishi Son Of Dass, Managing Director, M/S Braithwaite And
Co. Ltd. 5, Hide Road, P.S. Garden Reach, Kolkata 700043

.... Petitioner/s

Versus

1. The Union Of India Through Ministry Of Labour And Employment
2. The Labour Enforcement Officer (Central)< Rambagh Road, Ramna,
Muzaffarpur,

.... Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Dinesh Maharaj, Adv.
Mr. Rajiv Nayan Singh, Adv.
For the Union of India : Mr. R.K. Sharma, CGC
Mr. Awadesh Kumar Pandey, Adv.
Mr. Ravindra Kumar Sharma, CGC
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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

6 29-03-2016 The petitioner seeks quashing of the order of cognizance
dated 05.08.2011 passed by the Chief Judicial Magistrate, Hajipur
in Complaint Case No. C-2-159 of 2011

The petitioner submits that nowhere in the complaint
petition there is any averment that the petitioner was in-charge of
the affairs of the company and hence he cannot be liable.

Hence the order of cognizance dated 05.08.2011 passed by
the Chief Judicial Magistrate, Hajipur in Complaint Case No. C-2-
159 of 2011 is hereby set aside.

The application stands allowed.

(Anjana Prakash, J)

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