

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2500 of 2011

Madan Mohan Singh, son of Late Ram Prasad Singh, resident of Azad Chowk
Gangiala Wad No.18/9, Saharsa, PS and District-Saharsa.

.... Petitioner

Versus

1. The State of Bihar through the Labour Commissioner, Bihar, Patna.
2. The Divisional Commissioner, Koshi Division, Saharsa.
3. The District Collector, Saharsa.
4. The Assistant Labour Commissioner, Saharsa, PS+District Saharsa.
5. The Sub Divisional Officer-Cum-Certificate Officer, Saharsa, PS and District-Saharsa.
6. Harishankar Sah, son of Late Tulsi Sah, resident of Simraha, P.S. Saharsa, Dist. Saharsa

.... Respondents

Appearance :

For the Petitioner : Mr. Pramod Mishra, Advocate
Miss Monika, Advocate
For the State : Mr. Md. Irshad, AC to SC 18
For the Resp. No. 6 : Mr. Mahendra Pathak, Advocate
Mr. Nagendra Upadhyaya, Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 21-07-2016

Heard learned counsel for the petitioner and learned counsel
for the respondents.

2. The present writ petition has been filed for setting aside the
order dated 16.08.2005 passed by the Respondent S.D.O., Saharsa in
Case No. 1/03-04; the order dated 07.04.2006 passed by the District
Collector, Saharsa in Certificate Case Appeal No. 11/05-06; and the
order dated 07.12.2010 passed by the Respondent Divisional
Commissioner, Saharsa in Certificate Revision Case No. 9/2006.

3. According to the petitioner, the certificate proceedings had been initiated in the backdrop of an order dated 31.01.2003 passed by the Assistant Labour Commissioner, Saharsa (Respondent No. 4). Admittedly the aforesaid order dated 31.01.2003 has not been challenged by the petitioner and has attained finality.

4. It transpires that the revisional order in Certificate Appeal Case No. 09/2006 has taken note of this aspect of the matter and also of the fact that the authorities, after taking into consideration the various materials as well as after grant of opportunity of hearing, had concluded that Madan Singh and Madan Mohan Singh (the petitioner herein) are one and the same person.

5. In the above view of the matter, this Court is not inclined to interfere in the matter. The writ petition stands dismissed.

(Vikash Jain, J)

Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	26.07.2016
Transmission Date	N.A.