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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 7885/2016**

B.K. BESHRA AND ORS Petitioners
Through: Mr. S.C. Soren, Adv.

versus

UNION OF INDIA AND ORS Respondents
Through

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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07.09.2016

The petitioners seek setting aside of order dated 17.03.2015 which denied them payment of arrears of pay-revision w.e.f. 1997. The learned counsel for the petitioners relies upon the decision of the Calcutta High Court in favour of the workmen in *Putcha Parvateesem and others Vs Hindustan Copper Limited* in WP No. 6501 (W) of 2011.

The Government directives relied upon by the learned counsel for the petitioners were issued from Delhi, however, the employer of the petitioners i.e. Hindustan Copper Ltd., is based in Calcutta and the workmen were engaged in mines located in the State of Jharkhand. Of the 47 petitioners all but one reside at Jharkhand. The postal address of petitioner no.1 is shown to be in care/of Mr. Shyamlal Hembram, who has a Delhi address. It does not show petitioner no.1's independent address at Delhi. The cause of action, primarily, pertains to other territorial jurisdictions. The issuance of the circulars and letters by the Government of India i.e. either by Ministry of Labour or the Ministry of Mines or by the Chief Labour Commissioner,

would not necessarily make this Court the most convenient forum to adjudicate upon the petitioners' grievance. In these circumstances, the writ petition is not maintainable in this Court.

At this stage, the learned counsel for the petitioners seeks leave to withdraw the petition with liberty to pursue his grievances before the appropriate forum.

The writ petition is dismissed as withdrawn. Liberty granted.

NAJMI WAZIRI, J

SEPTEMBER 07, 2016/kk