

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20196 of 2016

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Mac Dowell Workers Union, having its registered office at Hathidah, P.S.-
Hathidah, Mokama, District- Patna through its General Secretary Sri Ratneshwar
Prasad Singh

.... Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary.
2. The Principal Secretary, Department of Registration, Excise and Prohibition,
Govt. of Bihar, Patna.
3. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
4. The United Spirits Limited, Hathidah-803301, P.S. Hathidah, District Patna
through its Unit Head.
5. The United Spirits Limited, UB Tower , 24, Vittal Maliya Road, Bangalore-
560001 through its Managing Director.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ujjwal Kumar Sinha, Adv
For the State	:	Mr. Lalit Kishore, PAAG-1
		Mr. Manish Dhari Singh, AC to PAAG-1

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 25-07-2017

The employees' union of a liquor company has
filed this petition in public interest and their grievance in the writ
petition are that due to the prohibition act which has come into force
in the State of Bihar, the establishment where the employees of the
petitioner's association were working has come to a halt. The



employees have been rendered jobless and seeking direction to the State Government to create alternative avenues for employment of the workers, the writ petition was filed.

On notice being issued, respondents have filed counter affidavit which goes to show that after closure of the establishment in question action has been taken for granting them statutory benefits that are available to them under various labour enactments i.e. Industrial Disputes Act, the payment of gratuity and other benefits. It is stated that apart from the statutory benefits having been available on closure of an establishment as per the labour enactment, no further direction can be issued in the Public Interest Litigation.

We can appreciate the financial hardship and the anxiety of the petitioner's association on account of unemployment of the workmen due to the situation created, however under law, in a petition under Article 226 of the Constitution, this Court can only direct enforcing the statutory rights available to the workers namely the statutory rights accruing to them by virtue of various labour enactments like Industrial Disputes Act, payment of gratuity etc and as these benefits have already been conferred as per statement of respondent No. 2, no further indulgence into the matter is called for.

In case the petitioners have any grievance with



regard to monetary benefit not been granted to them, they are free to take recourse by approaching the statutory authority with regard to the aforesaid relief.

With the aforesaid, the application stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01/08/2017
Transmission Date	NA

