

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.407 of 2016
In
Civil Writ Jurisdiction Case No. 17915 of 2010**

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Ramayan Singh @ Ramayan Rao, Son of Late Yogendra Rao, resident of Village - Laukariya Modisawka Tola P.S. Bairiya, District - West Champaran.

.... Appellant

Versus

1. The State of Bihar.
2. Labour Commissioner, Bihar Cum Appellate Authority under M.W. Act 1948, Patna.
3. Assistant Labour Commissioner and Authority, Bettiah, West Champaran.
4. Rajendar Rao, Son of Late Kamal Rao, resident of village - Laukariya, Baluwa Tola, Post Laukariya, P.S. Bairiya, District - West Champaran.
5. Mahamantri Paschim Champara, Zila Dukan Pratishthan Karamchari Sangh, Bettiah.

.... Respondents

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Appearance :

For the Appellants : Mr. Umesh Tiwari, Advocate.

For the Respondents : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 30-03-2017

Re.: Interlocutory Application No. 1772 of 2016.

The delay in filing the Letters Patent Appeal is condoned. Accordingly, the Interlocutory Application stands disposed of.

Re. Letters Patent Appeal No. 407 of 2016.

The concurrent orders passed by the competent authority under Minimum Wages Act and the appellate authority



under Minimum Wages Act and the learned Writ Court under Article 226 of the Constitution are challenged in this proceeding under Clause 10 of the Letters Patent Appeal. The concurrent orders passed by two statutory authorities and the learned Writ Court are based on the fact that the appeal was preferred after delay of a period of five years and finding there to be no proper explanation for the inordinate delay, the learned Writ Court has dismissed the appeal.

Finding no error in the order passed by the learned Writ Court, we are not inclined to interfere in the matter. However, liberty as granted to the petitioner by the learned Writ Court to avail of the statutory remedy shall be available.

The appeal is therefore, dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

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