

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12056 of 2016

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Om Prakash Prasad son of Late Mahendra Prasad, Resident of North Patel Nagar, Police Station- Patliputra, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Labour Resources Department, Govt. of Bihar, Patna.
3. The Labour Commissioner, Labour Resources Department, Govt. of Bihar, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Verma, Adv.

For the Respondent/s : Mr. Shashi Shekhar Tiwari, AC to AAG15

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 01-03-2017 Heard Mr. Santosh Kumar Verma, learned counsel appearing on behalf of the petitioner and Mr. Shashi Shekhar Tiwari, AC to AAG-15, for the State.

Though the writ petition has been filed praying for quashing of the order dated 18.9.2014 whereby the petitioner has been imposed penalty of reduction to basic scale with further penalty that he shall not be entitled to any further increment, but when this matter was taken up learned counsel for the parties agreed that an appeal against the order of penalty lies pending before the Principal Secretary, Labour Resources Department, Govt. of Bihar, Patna since 28.10.2014. This fact is also admitted by the respondents in their counter affidavit at paragraph 13.

It is in consideration of the circumstances existing where



appeal lay pending before the appellate authority that this matter was adjourned enabling the learned counsel for the State to inform whether or not final orders have been passed, but Mr. Shashi Shekhar Tiwari, AC to AAG-15, shows helplessness to inform the present status of the appeal.

In the circumstances so discussed and where a statutory appeal has remained pending before respondent no.2, I for the present would direct the respondent no.2 i.e. Principal Secretary, Labour Resouces Department to dispose of the appeal pending before him since 28.10.2014 within a maximum period of six weeks from today in accordance with law and after opportunity of hearing to the petitioner, if not already disposed of.

With the aforementioned observation and direction, this writ petition is disposed of.

(Jyoti Saran, J)

Surendra/-

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