

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.735 of 2012

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Arun Kumar Singh, Convenor and General Secretary, Madhya Bihar Gramin Bank,
Employees Association, Bihar, Patna S/o Shri Vishwanath Singh, C/o Late Laxman
Singh, in front of Chamawala Shop, Hariji Ka Hatta, Ara, District- Bhojpur.

.... Petitioner/s

Versus

1. The Chairman, namely, Mr. Sanjiv Sharan, father's name not known, Madhya Bihar Gramin Bank, H.O- Meena Plaza, South of Museum, Patna-01
2. The Senior Manager, namely Mohammad Asgar, father's name not known, Madhya Bihar Gramin Bank, H.O- Meena, Plaza, South of Museum, Patna
3. The State of Bihar, through, Home Secretary, Mr. Amir Suhani Father's name not known, The State Government of Bihar, Patna.
4. The District Magistrate, Mr. Sanjay Kumar, father's name not known, Patna
5. The Senior Police Officer, Sri Alok Kumar, father's name not known, Patna
6. The City S.P. Patna, namely, Ms. Kim, father and Husband's name not known

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nil Kamal, Advocate
For the Respondent/s : Mr. Mahesh Narayan Paarbat, Sr. Advocate
Mr. Zakir Haider, A.C. to S.C. 9

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL JUDGMENT

Date: 03-03-2017

Heard learned counsel for the parties.

In a writ application filed by the Bank against the
threatened action of Dharna and manhandling of the officers of the
bank, this Court, *inter alia*, passed the following order:-

“If that be so, then petitioner is at liberty to move
appropriate authorities for protection and violation of their rights.
But certainly this Court can not be dragged into controversies
between the two parties so long as the Dharna is within its
present shape. There can not be any physical intimidation or
physical interaction nor can the employees under the union
forcefully enter the office premises even Dharnas have to be in



an orderly fashion. That is all that this Court can do in respect of the dispute between the management and the Union.”

The grievance of the petitioner, representing trade union, is that under the garb of such order, the Union is not being permitted to go on Dharna which is a legitimate right of the petitioner.

I do not find that such order can be used as a permission to the petitioner to go on Dharna. If Dharna is legitimate, the order does not prohibit the same. There is no direction in favour of the petitioner, the violation of which can be complained in the present Contempt Petition.

The Contempt Petition stands dismissed.

(Hemant Gupta, ACJ)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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