

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1652 of 2014

IN

Civil Writ Jurisdiction Case No. 8790 of 2008

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Bihar State Power Generation Company (Formerly Known as Barauni Thermal Power Station) through its General Manager cum Chief Engineer at + P.O. Barauni, District Begusarai.

.... Appellant

Versus

1. The State of Bihar through its Secretary, Department of Labour and Employment New Secretariat, Patna-1.
2. The Presiding Officer, Labour Court at Begusarai.
3. The General Secretary, Bihar Vidyut Kamgar Sangh.
4. Bhibhu Sankar Sharma S/o Sardha Nand Sharma Resident of Village Chintamani Chowk, P.S. Mokama, District Patna.
5. Mahendra Mallick S/o Late Bipat Mallick Resident of Village Dih, P.S. Birpur, District Begusarai.

.... Respondents

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Appearance :

For the Appellant : Mr. Vijoy Nandan Sahay, Advocate

For the Respondent State: Mr. AC to GA-10

For the Pvt. Respondents : Dr. Kumar Binode Bariar, Advocate

Mr. Pramod Manbansh, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 11-05-2017

Heard learned counsel for the parties.

Appeal is dismissed because it is nothing but an effort on the part of an employer to deny the benefits of an award given to the workmen by method fair or foul. There is absolutely no merit in the appeal whatsoever. The learned single Judge has rightly directed that the workmen are entitled to the benefit of Section 17 B of the Industrial Disputes Act, 1947 since the Award still subsists and only



a challenge has been thrown with no order of restrain on its enforceability by the writ Court.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Pawan/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	12.05.2017
Transmission Date	N/A

