

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22106 of 2013

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1. Bimlesh Singh Son Of Late Munsu Singh Resident Of Vill- Gabhirar, Ps.-
Raghunathpur, Distt- Siwan

.... Petitioner/s

Versus

1. The State Of Bihar through the Labour Commissioner, Siwan District- Siwan
2. The Assistant Labour Commissioner, Siwan
3. The Labour Superintendent (Agriculture Labour) & Authority (Under Minimum
Wages Act, 1948), Siwan, District-Siwan.
4. The Labour Enforcement Officer, Raghunathpur, Distt- Siwan.
5. The Court Of Nilam Pat Sakha, through the Incharge Siwan
6. Kapil Titar, Son Of Mohan Titar, Resident Of Vill- Gabhirar, P.S-
Raghunathpur, Distt- Siwan
7. Smt. Gyanti Devi, Wife Of Kapil Titar, Resident Of Vill- Gabhirar , P.S-
Raghunathpur, Distt-Siwan.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vitesh Kumar Singh, Adv.
For the State : Mr. Upendra Pratap Singh, A.C. to SC-4
For Respondents 6 & 7 : Kamala Kant Tiwary, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 16-03-2017

In the instant writ application, challenge is to the order dated 15.10.2007 passed by the Labour Superintendent, Siwan in Case Nos. 44 of 2006 and 45 of 2006 in exercise of power conferred under Section 20 of the Minimum Wages Act, 1948 (in short 'the Act') whereby the petitioner has been directed to pay wages to the respondent nos. 6 and 7.

2. The State of Bihar has made certain amendments under Section 20 of the Act. In its application to the State of Bihar under clause (6) of Section 20 of the Act, any employee aggrieved by any



direction made by an authority appointed under sub-section (1) on an application made under sub-section (2), may, within thirty days from the date of direction, prefer an appeal before such authority as the State Government may by notification specify in this behalf.

3. It is not in dispute that the appellate authority has already been notified under the Act.

4. Admittedly, the petitioner has not challenged the impugned order dated 15.10.2007 before the appellate authority rather the instant writ application has been filed six years after the order impugned was passed before this Court.

5. In view of the fact that the petitioner had got equally efficacious alternative statutory remedy, I am not inclined to entertain the present application under extra-ordinary writ jurisdiction specially when the same has been filed after a long delay of over six years.

6. Accordingly, the application is disposed of.

(Ashwani Kumar Singh, J)

Pradeep/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	18.03.2017
Transmission Date	

