

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9413 of 2017

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Satyendra Kumar Trivedi, Son of Sri Nagendra Trivedi, resident of At + P.O.
Dighwa - Dubauli, P.S.- Baikunthpur, District - Gopalganj.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Labour Resources, Government of Bihar, Patna.
2. The Presiding Officer, Labour Court, Chapra, Bihar.
3. The Management of M/s Sun Pharmaceutical Industries L.T.D.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Kumar Kaushik, Advocate

For the Respondent/s : Mr. Rohitabh Das, AC to AAG-10

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 25-07-2017

In paragraph no.1 of the writ petition, the petitioner has
made the following prayers:-

- i. For issuance of an order, direction or writ of Mandamus for directing the learned Presiding Officer, Labour Court, Chapra to expeditiously dispose of the Reference Case No.01 of 2016 which has been instituted through reference contained in notification dated 18.05.2016 issued



by the Labour Resources Department, Government of Bihar, whereby and where under the Government referred the dispute relating to the validity of the transfer order dated 07.08.2014 issued by the respondent company, by which, the petitioner who is a marketing executive, was transferred from Siwan to Shimoga (Karnataka).

ii. For issuance of an order, direction or appropriate writ for restraining the respondent company from proceeding with a disciplinary inquiry with respect to the charges of non-compliance of the transfer order, the correctness of which is yet to be decided by the learned Labour Court, during the pendency of the aforesaid Reference case.

2. It has been submitted by Mr. Kumar Kaushik, learned counsel for the petitioner that the writ petition may be disposed of with a direction to the Labour Court, Chapra to dispose of Reference Case No. 01 of 2016 expeditiously having regard to the provisions prescribed under Section 10(2-A) of the Industrial Disputes Act on 02.08.2016 and pass order in accordance with law.

3. Learned counsel for the State raises no objection to such prayer.



4. Having regard to the facts and circumstances of the case and taking into consideration the provisions prescribed under Section 10(2-A) of the Industrial Disputes Act, the learned Presiding Officer, Labour Court, Chapra is requested to adjudicate the Reference Case No. 01 of 2016 as early as possible, preferably within a period of three months from the date of receipt/production of a copy of this order in accordance with law.

5. With the aforesaid observation, the writ application is disposed of.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.07.2017
Transmission Date	NA

