

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5587 of 2016

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Nazareth Hospital Mokama, through its Administrator, Sister Latika, At &
Post Office- Mokama, P.S.- Mokama, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Labour and Social Welfare, Government of Bihar, Patna
2. The Principal Secretary, Department of Labour and Social Welfare, Government of Bihar, Patna
3. The Joint Secretary, Department of Labour and Social Welfare, Government of Bihar, Patna
4. The Additional Secretary, Department of Labour and Social Welfare, Government of Bihar, Patna
5. The Labour Commissioner, Government of Bihar, Patna
6. The Deputy Labour Commissioner, Government of Bihar, Patna
7. Mission Nazareth Majdroo Union, through its General Secretary, Ashok Kumar, having its office at Modangachi, Ward No. 4, P.O.- Mokama, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Singh, Adv.
Mr. Praveen Kumar, Adv.
For the Respondent/s : Mr. SC 29- R.R.K. Pandey

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

8 18-07-2018 The instant writ petition has been filed by the petitioner for quashing of notification no.3663 dated 09.12.2014 issued under the signature of the Additional Secretary, Department of Labour and Social Welfare, Government of Bihar, Patna whereby in exercise of powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (for short 'the Act') the dispute between the petitioner and its workmen represented by Mission Nazareth Majdoor Union, Modangachi, Mokama, Patna regarding the matter specified in Annexure-A to



the said notification has been referred to the Labour Court, Patna for adjudication.

The dispute as noted and referred to in Annexure-A to the aforesaid notification reads as under :

“Whether the 19 point charter of demand of General Secretary, Mission Nazareth Mazdoor Union, Mokama, Patna is justified ? If yes, what relief workmen are entitled to and from when ?”

“Whether the retrenchment of 48 workmen (list attached) by Management Mission Nazareth Hospital, Mokama, Patna at the date of 01.07.2012 is justified ? If not what relief they are entitled ?”

At the outset, it is submitted by Mr. Sanjay Singh, learned advocate appearing for the petitioner that due to efflux of time this writ petition has become infructuous as final order has already been passed by the Labour Court in the Reference Case No. 3 of 2014, which has already been challenged by way of filing another writ petition.

In view of the submission made above, this writ petition is disposed of as infructuous.

(Ashwani Kumar Singh, J)

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