

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17996 of 2015

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Amitabh Kumar S/o Late Durga Prasad, Residing in the campus of Anugrah Memorial Institute and Research Centre, Pataliputra Path, Rajendra Nagar, Patna-800016

.... Petitioner/s

Versus

1. The State of Bihar through its Secretary Labour Department, Government of Bihar, Patna.
2. Presiding Officer of Labour Court, Patna.
3. The President Anugrah Seva Sadan, Khajanchi Road, Patna,
4. The Secretary Anugrah Seva Sadan, Khajanchi Road, Patna,
5. The President Anugrah Smarak Nidhi, Khajanchi Road, Patna,
6. The Secretary Anugrah Smarak Nidhi, Khajanchi Road, Patna,

.... Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Meera Kumari, Adv.

For the Respondents 5 & 6 : Mr. Alok Kumar Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 27-06-2018

The reliefs prayed for by the petitioner in the present writ petition are as under :-

- (a) For issuance of a writ in the nature of Mandamus commanding the respondent or directing the Respondent no.2 (The Presiding Officer of Labour Court Patna), for expeditious disposal of Misc. Case No. 5/2012 (Amitabh Kumar Vs. Anugrah Smarak Nidhi and others) filed under Sub-section 2 of Section 13 of the Industrial Dispute Act, 1947 for payment of arrear wages of the petitioner lying due with respondent no.3 to 6 since the year 2002 and also to fix the minimum wages as required under law of State Government.



- (b) For, a direction to Respondent no.3 to 6 not to take any coercive measure against the petitioner by way of revenge to remove him from job and also from the quarter he is occupying since the days of his father. He is doing regularly and sincerely since the date of his employment until the disposal of Misc. Case No. 5/2012.
- (c) For any other relief/reliefs to which the petitioner may be found entitled in the facts & circumstances of the case.”

2. The writ petition is misconceived as the petitioner is seeking a writ of mandamus against a private trust. One of the reliefs claimed by the petitioner is for issuance of a direction to respondent nos. 3 to 6 not to take any coercive measure against him for removing him from the shop and also from the quarter he is occupying. No such relief can be granted to the petitioner in writ jurisdiction against private respondents.

3. As far as relief regarding expeditious disposal of Misc. Case No. 5 of 2012 is concerned, nothing has been brought to the notice of this Court that the petitioner has moved the Labour Court for hearing of the matter, rather the private respondents have stated that the petitioner is not pressing his application before the Labour Court and is delaying disposal of the matter on the ground that the writ petition is pending before this Court.



4. The writ petition, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J)

Pradeep/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	20-06-2018
Transmission Date	

