

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1120 of 2017

In

Civil Writ Jurisdiction Case No.14523 of 2016

Kamal Kumar Bothra son of Late Hanuman Mal Bothra, the Managing Director, M/s Kalawati Enterprises Limited, 5, IAS Colony, Kidwaipuri, Patna, P.S.- Budha Colony, District- Patna.

... .. Appellant

Versus

1. The State of Bihar through the Labour Commissioner, Government of Bihar, Patna.
2. The Deputy Labour Commissioner-cum- Controlling Authority, Gratuity Payment Rules 1972, Darbhanga Division, Darbhanga.
3. Amresh Kumar Thakur, Son of Late Satish Chandra Thakur, resident of Village- Bisaul, P.O.- Sukhet, Via and P.S.- Jhanjharpur, District- Madhubani.

... .. Respondents

Appearance :

For the Appellant/s : None

For the Respondent/s : Mr. Rohitabh Das, AC to AAG10

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

4 15-05-2018 None on behalf of the appellant. Counsel for the State is present.

There is no infirmity with the order of the learned single Judge dated 15.05.2017 passed in C.W.J.C. No. 14523 of 2016. He has a view not to entertain an application for payment of gratuity under Article 226 of the Constitution of India especially when there is statutory remedy under Payment of Gratuity Act, 1972.



Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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