

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17872 of 2011

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M/S Jahuri & Sons, Functional Estate Karanchoura (Karnchowda) Munger, P.S.-
Kotwali, District- Munger through Proprietor (Partner), Raghubir Prasad Sharma,
S/o Late Ganpat Lal Sharma, R/O Mohalla- Bichgaon, P.S.-Kasim Bazar, P.O. &
District-Munger

.... Petitioner

Versus

1. The State of Bihar through Labour Commissioner, Labour Department, Govt. of Bihar, New Secretariat, Patna
2. Assistant Labour Commissioner, Munger
3. Deputy Labour Commissioner cum Controlling Officer, Munger Division, Begusarai
4. In-charge Deputy Collector, District Certificate Office, Munger
5. Pramila Devi W/O Late Chunnilal Sharma R/O Chhoti Mirzapur, Jamalpur Road, P.S.-Kasim Bazar, District-Munger

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Dhirendra Nath Jha, Advocate
For the Respondent/s : Mr. Ramashray Roy, AC to AAG-11

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 26-06-2018

Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner has filed the present application



for directing the Deputy Labour Commissioner cum Controlling Officer, Munger Division, Begusarai to consider the review application dated 04.07.2008 after giving proper and full opportunity of hearing to the petitioner and concerned person including the private respondent against the order dated 02.06.2008 passed by him issued vide memo no.449 Begusarai dated 04.06.2008 as contained in Annexure-4 to the petition whereby the petitioner has been directed to make payment of Rs.50,400/- to the private respondent and inform the court in writing within 30 days about compliance of the order.

3. A counter-affidavit has been filed on behalf of the respondent no. 3 in which it has categorically been stated that the review application filed by the petitioner has already been rejected long back on 27.01.2011 on the ground of limitation. A copy of the order dated 27.01.2011 has also been brought on record as Annexure-C to the counter affidavit. The averment made in the counter affidavit has not been contradicted by the petitioner.

4. Thus, though the review petition was dismissed on 27.01.2011 itself, the petitioner has filed the writ petition for a direction to be issued to the Deputy Labour Commissioner to consider the review application on 12.10.2011. The prayer made in the writ petition is misconceived.



5. The application being devoid of any merit is dismissed.

(Ashwani Kumar Singh, J.)

Sanjeet/Sneha

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.06.2018
Transmission Date	NA

