

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16103 of 2018

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1. Binod Ray, S/o Jamun Ray, Resident of Krishi Farm, Mubarakpur, Danapur Cantt., Dist- Patna.
 2. Virchand Ray, S/o Gama Ray, Pipapul Ghat, Danapur cum Khagaul, Patna, Bihar- 801503.
 3. Pawan Kumar, S/o Akal Prasad, Resident of Biranchi, P.S- Barni, District- Patna.
 4. Bablu Kumar, S/o Tilak Mahto, Resident of Gulabbag, Barh, P.S- Barh, District- Patna.
 5. Vijay Kumar, S/o Jawahar Yadav, Resident of Gulabbagh, Barh, P.S- Barh, District- Patna
 6. Dharmendra Kumar S/o Ambika Prasad, resident of village- Shahru, Dhanarua, P.S- Dhanarua, District- Patna.

.... Petitioners.

Versus

1. The State of Bihar, through the Chief Secretary, Government of Bihar, Old Secretariat, Patna, Bihar.
2. The Principal Secretary, Department of Labour Resources, Government of Bihar, Patna.
3. The Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna.
4. The Bihar State Food and Civil Supplies Corporation Ltd., Khadya Bhawan, Rd. NO. 2, Daroga Rai Path, Patna-1 through Managing Director.
5. The Managing Director, the Bihar State Food and Civil Supplies Corporation Ltd., Khadya Bhawan, Rd. No. 2, Daroga Rai Path, Patna-1.

.... Respondents.

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Appearance :

For the Petitioner/s : Mr. Amit Pandey, Advocate
For the State : Mr. Ajay kr. Rastogi- AAG10
Mr. Rohitabh Das, AC to AAG-10

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 13-08-2018



In the instant writ petition, the petitioners have prayed for directing the respondents to give effect to the notifications as contained in S.O. 1455 dated 28.03.2018 and in S. O. 1456 dated 28.03.2018 and make payment of minimum wages to the petitioners who are workmen under the Bihar State Food and Civil Supplies Corporation Ltd.

2. In sum and substance, the claim of the petitioners is that the respondent-authorities have failed to make payment of wages as per minimum rates of wages fixed by the State of Bihar through notifications issued from time to time.

3. In respect of a claim made for non-payment of wages remedy lies under Section 20 of the Minimum Wages Act, 1948.

4. The petitioners have not approached the authorities prescribed under the aforesaid Act for payment of less than the minimum rates of wages or in respect of payment of lesser remuneration before the authorities prescribed under the Act.

5. In view of an equally efficacious statutory remedy being available to the petitioners, I am not inclined to entertain this writ petition under extraordinary writ jurisdiction.

6. It is disposed of accordingly with liberty to the petitioners that if so advised, they may approach the authorities



under the aforesaid Act for redressal of their grievances.

(Ashwani Kumar Singh, J.)

Kanchan/Sneha/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.08.2018
Transmission Date	15.08.2018

