

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1822 of 2017

In

Civil Writ Jurisdiction Case No.2053 of 2016

Shahsi Bhushan Prasad, Son of Late Bhola Mandal, resident of Village- Durga
Asthan, Tilakpur, P.S.- Sultanganj, District- Bhagalpur, Bihar.

... .. Appellant/s

Versus

1. The Union of India through the Secretary, Ministry of Labour, Government of India.
2. The State of Bihar through the Principal Secretary, Labour Resources Department, Vikas Bhawan, New Secretariat Building, Bailey Road, Patna- 800001.
3. The Chief General Manager, State Bank Of India, Local Head Office, West Gandhi Maidan, Patna- 800001.
4. The Assistant Labour Commissioner (Central), Pakur, Ministry of Labour & Employment, office of the Assistant Labour Commissioner (Central) Pakur, Haridanga Bazar, Pakur, Jharkhand.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Vijoy Nandan Sahay
For the UOI	:	Mrs. Nivedita Nirvikar, C.G.C
For the State	:	Mr. Sushil Kr. Sinha, AC to AAG-10

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

3 17-05-2018 Heard counsel for the appellant and counsel for the

Union of India and the State.

The learned Single Judge has taken a correct view by holding that the State Labour Court/ Industrial Tribunal has no jurisdiction to entertain the grievance of the present appellant as it lacks jurisdiction. The proper forum for the said adjudication would have been Central Industrial Tribunal, Dhanbad.



What has been done by the appellant is basically forum hunting, which is not permissible. Any order passed by the Tribunal lacking jurisdiction is non-est in law.

Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Rajesh/Pragya

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