

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5548 of 2019**

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Sri Ram Sajivan Mishra Son of Late R.B Mishra, Resident of Gandhi Nagar,  
Behind Phase-II, P.S.-Rajeev Nagar, Ashiyana Nagar, Patna-800025.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Labour Resource Department, Govt. of Bihar, Patna.
3. The Law Secretary, Law Department, Old Secretariat, Govt. of Bihar, Patna.
4. The Presiding Officer, Labour Court, Niyojan Bhawan, Baily Road, Govt. of Bihar, Patna.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Anurag Saurav, Adv.

For the Respondent/s : Mr.Ajay Kumar Rastogi (AAG 10)

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

2      25-03-2019                      Heard learned counsel for the parties.

The Government, in exercise of power under Section 17(2) of the Working Journalist and other Newspaper Employees (Condition of Service) and Miscellaneous Provisions Act, 1955 read with Section sub-Section 2(A) of Section 10 of the Industrial Dispute Act, 1947, has referred the dispute for adjudication with regard to those who are covered by the Majithia Wages Board.

The petitioner has not raised the grievance that the Labour Court does not have the jurisdiction to decide the issue which has been referred to the Labour Court, Patna but has only said that the Presiding Officer is not available in the Labour Court, Patna and, as such, this Court should entertain and give direction for



implementation of the Majithia Wages Board.

In the opinion of this Court, when the Government has referred the dispute to the competent jurisdiction, in such circumstances, it would be desirable that the court concerned should adjudicate the dispute and decide the lis. Since, at present, the Presiding Officer, Labour Court is not available but, it is expected from the Government that the post will be filled up soon.

Accordingly, this Court directs the Presiding Officer, he will adjudicate the dispute on day-to-day basis without granting unnecessary adjournment to the parties.

It is not known to this Court as to whether the parties have filed their respective written statement or not but, if the written statement has not been filed, it is expected that the Labour Court will ensure filing of the respective written statement and would proceed in accordance with the Industrial Dispute Act and the Rule framed thereunder.

With the aforementioned observation and direction, this writ application is disposed of.

**(Shivaji Pandey, J)**

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