

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6577 of 2019

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Sri Akhilesh Kumar Singh, aged about 50 years, S/o Late Bamdev Singh,
resident of 6-D, Sadhnapuri, A-8, Vidhya Bhawan, Anisabad, Gardanibagh,
Patna – 800002.

... .. Petitioner

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Labour & Welfare 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.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Anurag Saurav
For the Respondent/s : Mr. Sarvesh Kumar (GP-24)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 03-04-2019

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 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)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
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