

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7963 of 2018

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1. Unichem Laboratories Ltd. Through its Managing Director, Unichem Bhawan, Prabhat Estate S.V. Road Jogeshwari (West) Mumbai-400102.
 2. Mr. Santoush Kadam DGM-HR and ER of company registered office, Unichem Bhawan, Prabhat Estate S.V. Road Jogeshwari (West) Mumbai-400102.

... .. Petitioners

Versus

1. Union Of India through Assistant Labour Commissioner (Central), Patna, Maurya Lok Complex 2nd Floor, A-Block, Room No.17, Patna.
2. Assistant Labour commissioner (Central), Patna, Maurya Lok Complex 2nd Floor, A- Block, Room No. 17, Patna.
3. Prashant Kumar Mishra, S/o Sri Bindeshwar Mishra, C- 301 Raunak Capital Green, Behind Hitech Hospital, R.K. Puram Road, P.O. P.S.- Danapur, District- Patna.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Dr. U.S. Prasad, Advocate
		Mr. Dr. Anshuman, Advocate
For the Respondent/s	:	Mr. S.D Sanjay Addl. Soc. Gen.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 02-07-2019 Heard learned counsel for the petitioners and
learned counsel for the State.

In the present case, the petitioners are challenging the order of the Assistant Labour Commissioner (Central), Patna as well as the order of the Controlling Authority under the Payment of Gratuity Act.

Learned counsel for the petitioners fairly accepted that the petitioners have not exhausted the alternative remedy of appeal and seeks permission to withdraw this writ petition with



a liberty to file appeal before the Appellate Authority.

In such view of the matter, this writ petition is dismissed as withdrawn with the aforesaid liberty. If the petitioners file an appeal before the Appellate Authority within a period of 30 days from today, he will be at liberty to make a prayer for stay of the impugned orders. While deciding the issue of limitation, the Appellate Authority will consider the pendency of this case before this Court. The respondents authority will not take any coercive action against the petitioners within 30 days from today.

(Shivaji Pandey, J)

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