

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3511 of 2017

In
Civil Writ Jurisdiction Case No.11648 of 2012

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1. The Bank Of India Through The Chairman And Managing Director
 2. The Zonal Manager, Bank of India having his office at Zonal Office, Chanakya Tower, Birchand Patel

... .. Petitioners

Versus

1. The Union Of India
2. The Chief Labour Commissioner Central, New Delhi.
3. The Assistant Director, IR Imp-1, Ministry of Labour and Employment, New Delhi.
4. The Regional Labour Commissioner Central, Patna, Bihar.
5. The Assistant Labour Commissioner Central, Ministry of Labour, Government of India, Maurya Lok Com
6. Rameshwar Prasad Son of Jitan Ram retired Clerk, Bank of India, resident of Village Kharjam, Post Office Badakhurd, District Nalanda.
7. Vijay Kumar Sharma Son of Lakshman Mistri Driver, Bank of India, resident of Ganga Babuki Thekir, Post Officer Begampur, Police Station Chowk, Patna City, District Patna.
8. Babu Ram Father's name not known Sub Staff, Bank of India, resident of East Indiranagar, Nalanda Colony, Road No. 3, Kankarbagh, District - Patna - 20.
9. Ram Janam Rai Son of Bhagwan Rai Armed Guard, Bank of India, resident of village Shahpur, Post Office Daudpur, District Patna.

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr.Rupak Kumar
For the Opposite Party/s	:	Mr.S.D Sanjay Addl. Soc. Gen.

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 24-07-2019 This application under Article 226 of the Constitution of India has been filed by the petitioners for restoration of CWJC No.11648 of 2012, which stood dismissed for want of prosecution on 29.11.2017.



It is submitted by the learned counsel for the petitioners that due to inadvertence on the part of the advocate's clerk, the case could not be marked in the cause list dated 29.11.2017 as a result of which the counsel for the petitioner did not turn up when the case was called out. He submitted that there was neither any deliberate nor willful laches on the part of the petitioner.

Having regard to the submissions made above, the application is allowed. CWJC No. 11648 of 2012 is restored to its original file.

Civil Writ Jurisdiction Case No.11648 of 2012

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1. The Bank Of India through the Chairman and Managing Director having its office at Head Office, Star House, C-5, G Block, Bandra Kurla Complex, Bandra East, Mumbai.
 2. Zonal Manager, Bank of India having his office at Zonal Office, Chanakya Tower, Birchand Patel Marg, Patna.

... .. Petitioners

Versus

1. The Union Of India through the Secretary, Ministry of Labour and Employment, New Delhi.
2. The Chief Labour Commissioner (Central), New Delhi.
3. The Assistant Director, IR Imp-1, Ministry of Labour and Employment, New Delhi.
4. The Regional Labour Commissioner (Central), Patna, Bihar.
5. The Assistant Labour Commissioner (Central), Ministry of Labour, Government of India, Maurya Lok Complex, Block-A, 2nd Floor, Dakbanglow, Patna, Bihar
6. Rameshwar Prasad Son of Jitan Ram retired Clerk, Bank of India, resident of Village Kharjam, Post Office Badakhurd, District Nalanda.



7. Vijay Kumar Sharma Son of Lakshman Mistri Driver, Bank of India, resident of Ganga Babuki Thekir, Post Officer Begampur, Police Station Chowk, Patna City, District Patna.

8. Babu Ram Father's name not known Sub Staff, Bank of India, resident of East Indiranagar, Nalanda Colony, Road No. 3, Kankarbagh, District - Patna - 20.

9. Ram Janam Rai Son of Bhagwan Rai Armed Guard, Bank of India, resident of village Shahpur, Post Office Daudpur, District Patna.

... .. Respondents

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This writ petition has been filed by the petitioners for quashing the award passed by the Central Government Industrial Tribunal No.2, Dhanbad in Reference No. 39 of 2002, which was communicated to the petitioner vide reference letter dated 03.04.2012.

It is submitted by the learned counsel for the petitioners that pursuant to the award in question the petitioners have already complied with the benefits granted to the private respondents. He submitted that since the order passed by the Industrial Tribunal has already been complied with, the writ petition has become infructuous.

In view of the submission made above, the writ petition is disposed of.

(Ashwani Kumar Singh, J)

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