

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23577 of 2019

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Sri Narayan Purbey, S/o Late Raj Kumar Pubey Being Secretary, AITUC (All India Trade Union Congress) Bihar, R/o- Kedar Bhawan, Amarnath Road, Patna- 80000

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
4. The Secretary (Expenditure), Department of Finance, Government of Bihar, Patna.
5. The Director, Directorate of Mid-Day Meal, Department of Education, Government of Bihar, 1st Floor MDM Building, Buddha Marg, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar Singh
For the Respondent/s : Mr.Smt. Shilpa Singh (Ga12)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 29-11-2019 Heard learned counsel for the petitioner and learned

counsel for the respondents.

Petitioner has prayed for the following reliefs:-

“For writ of mandamus for judicial intervention against
serious violations of Minimum Wages Act, Payment of
Wages Act, Maternity Benefit Act and several other
welfare and statutory labour laws i.e.-EPF and ESIC etc,

And;

Against imposition of immoral working culture, inhumane
working conditions and unfair labour practice,



On the issue of,

over and above 2 lakhs 40 thousand Mid-Day Meal (MDM) Workers/Rasoiya cum Helper in the State territory of Bihar through directing the respondents:-(i) To order an enforcement of State Minimum Wages to the Cooks (Rasoiya)/Workers engaged in Mid-Day Meal (MDM) Scheme within the State territory of Bihar,

Or

To award them the scale of 'Group-D' as estimated vide Memo No.-9025 dated 20.11.2017, by the Finance Department, Government of Bihar, Patna.

(ii) To enforce other basic statutory labour laws such as Payment of Wages Act, Maternity Benefits Act and EPF & ESI to the MDM Rasoiya/Workers.

(iii) To increase the honorarium of MDM workers in the light of the path set by sustainable increments made in the states like Kerala, Haryana, Karnataka, Goa and Tripura by increasing the State contributions.

(iv) Any other remedial measures which is conducive to the satisfaction of the MDM Workers in best of their guaranteed constitutional rights & interest as a mass workers and in solidarity of their humane contribution towards nurturing the nation by nourishing the Childs.

And/Or;

Any other Writ, Order or Direction, as this Hon'ble Court deems just and proper under the facts and circumstances stated hereinafter.

Learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to agitate the claim raised in this petition by filing a fresh writ petition instead of



Public Interest Litigation.

The petition is accordingly disposed of with the liberty aforesaid.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

sujit/-

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