

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7757 of 2020

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Court on its own motion on the basis of news item titled Safaikarmiyon Ki Hartal se Nahi Utha ghar Aur Sadakon se Kura, published in the Daily Newspaper, Hindustan and other titles published in The Times of India, Dainik Bhasker, Prabhat Khabar, and Dainik Jagran, (Patna Edition) dated- 11.09.2020

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary Housing and Urban Development, Government of Bihar, Patna.
3. The Municipal Commissioner Patna Municipal Corporation, Patna, Bihar.
4. Shri Chandra Prakash Singh, President, Patna Nagar Nigam Sanyukt Karmachari Samanwaya Samiti.
5. Shri Mangal Paswan, Addl. Coordinator-cum- General Secretary, Patna Nagar Nigam Sanyukt Karmachari Samanwaya Samiti.
6. Shri Ramaytan Prasad, Coordinator-cum- General Secretary, Patna Nagar Nigam Sanyukt Karmachari Samanwaya Samiti.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sumeet Kumar Singh, Amicus Curiae Mr. Akash Raj, Advocate Ms. Chhaya Kriti, Advocate
For the Respondent/s	:	Mr. Anjani Kumar, AAG-4 Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Amit Pandey, Advocate Mr. Prasoon Sinha, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 13-10-2020



On the basis of news report published in the Daily Newspaper 'Hindustan, taking suo motu cognizance, this Court on 11th September, 2020 had issued the following directions:

- (a) employees/workers of the Patna Municipal Corporation and more specifically members of the Patna Nagar Nigam Sanyukt Karmchari Samanwaya Samiti, shall forthwith call off their strike;
- (b) they shall immediately resume/join their duties and report at their respective places of posting;
- (c) they shall ensure that either directly or indirectly, no loss is caused to public property; allegedly tyres of 4000 vehicles stand deflated.
- (d) they shall immediately ensure that the garbage dumped on the roads/streets fallen within the municipal limits of Patna shall be collected and disposed of, as required under law/in terms of contractual obligations;
- (e) Principal Secretary, Housing and Urban Development shall convene a meeting with all the stakeholders including members of the Patna Nagar Nigam Sanyukt Karmchari Samanwaya Samiti or any other registered Union.

We are sure that the authorities shall fairly consider the issues raised and the grievances highlighted by the employees and find a workable solution at the earliest.

- (f) In any event, we direct that the unpaid



salaries/wages of all the employees, be it regular/casual/daily of the Municipal Corporation, Patna, be positively released within next two working days. Allegedly dues for last four months are outstanding.

- (g) Let Municipal Commissioner, Patna Municipal Corporation file his affidavit within two weeks stating the outcome of the meeting. Also compliance with regard to release of wages/salary.
- (h) Violation of any one of the orders shall tantamount to committing Contempt of Court.

From the affidavit of Sri Himanshu Sharma, Commissioner of Municipal Corporation, Patna, it is evident that our directions reproduced (supra) stand complied with.

On 23rd September, 2020, a meeting was convened in which following persons participated:-

- I. Shri Anand Kishore, Secretary, Urban Development and Housing Department
- II. Shri Himanshu Sharma, Municipal Commissioner
- III. Shri Sanjiv Kumar, Municipal Finance and Accounts Controller
- IV. Shri Ramyatan Prasad, Sanyojak, Samanvay Samiti, (Convener, Co-ordination Committee)
- V. Sri Mangal Paswan, Co-convener, Co-ordination Committee



VI. Sri Jitendra Kumar, Spokesperson, Co-ordination Committee

VII. Sri Niraj Kumar Verma, Treasurer, Co-ordination Committee

VIII. Sri Dharamvir Kumar, Member, Co-ordination Committee

IX. Sri Kesho Kumar, Member, Co-ordination Committee

As agreed wages/ payments of employees/regular or engaged on daily wage basis stand released. The Committee found the additional demands to have been raised by the workers, which is also brought to our notice vide a separate application being I.A. No.01 of 2020 filed by Patna Nagar Nigam Staff Union.

We appreciate the stand taken by the employees; members of the Committee as also the State and the Municipal Corporation. The work relating to collection and disposal of garbage is now being carried out as per law.

As such, we close the present proceedings reserving liberty to the workers/workmen/their recognized Union to agitate the surviving issues, if any, before the appropriate forum in accordance with law.

Liberty is reserved to them to approach the Court if



the need so arises subsequently.

The petition stands disposed of with the aforesaid observations/ directions.

Interlocutory Application, if any, shall stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

AFR/NAFR	
CAV DATE	
Uploading Date	19.10.2020
Transmission Date	

