

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4270 of 2021

1. Sarita Kumari @ Sarita Devi, female, aged about 41 years, Wife of Satish Singh, ROJGARA SEVAK, MANREGA, Anchal-Nauhatta, resident of Village-Nauhatta East, P.S.-Nauhatta, District- Saharsa.
2. Mahesh Kumar Bhagat, male, aged about 49 years, Son of Ram Saran Bhagat, Programme Officer, MANREGA, resident of Village and P.S.-Nauhatta, District-Saharsa.
3. Anil Kumar, male, aged about 39 years, Son of Late Lakshman Singh, Accountant, MANREGA, Anchal-Nauhatta, resident of Village and P.S.-Nauhatta, District-Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Labour Commissioner, Bihar, Patna.
2. The Deputy Labour Commissioner-cum-Appellate Authority (under Minimum Wages Act), Darbhanga.
3. The Assistant Labour Commissioner-cum-Competent Authority (under Minimum Wages Act), Saharsa.
4. Fekan Paswan, Son of Late Nunu Lal Paswan, Resident of Village-Nauhatta West, P.O. and Anchal and P.S.-Nauhatta, District-Saharsa.
5. Md. Lalo Son of Late Md. Ibrahim, Resident of Village-Nauhatta West, P.O. and Anchal and P.S.-Nauhatta, District-Saharsa.
6. Md. Muslim, Son of Late Md. Ibrahim, Resident of Village-Nauhatta West, P.O. and Anchal and P.S.-Nauhatta, District-Saharsa.
7. Md. Asfak, Son of Late Md. Sabi, Resident of Village-Nauhatta West, P.O. and Anchal and P.S.-Nauhatta, District-Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Mishra, Advocate
For the Respondent/s	:	Mr. Ravi Ranjan, AC to SC 22

CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA

ORAL JUDGMENT

Date : 20-12-2021

Heard learned counsel for the parties.

Challenge is to the order dated 02.07.2020 passed by
the Deputy Labour Commissioner-cum-Appellate Authority
(under Minimum Wages Act), Darbhanga in M.W. Appeal Case



No. 01/2020 whereby appeal filed by the petitioners was dismissed purely on the ground of bar of limitation. In this view of the matter, this Court proposes to remit the matter to the same authority for decision afresh as per law on merits.

Learned counsel for the State has no objection to this.

In view of the above, the impugned order dated 02.07.2020 is hereby set aside. The matter is remitted to the same authority for decision afresh at the earliest, in any case, not later than eight weeks.

The petition stands disposed off.

(Rajan Gupta, J)

P. Kumar

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

