

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1854 of 2017

In
Civil Writ Jurisdiction Case No.2406 of 2016

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Sappers Welfare Association Through Its General Secretary Namely Thakur Pramod Kumar S/o Late Rupnarayan Kumar, its office situated at Mohalla-Sudhitola, Mahendru, P.S.-Sultanganj, Town and District- Patna-6.

... .. Appellant/s

Versus

1. The State Of Bihar and Ors
2. The Deputy Labour Commissioner, Bailey Road, Patna.
3. The Labour Superintendent, Bailey Road, Patna.
4. The Registrar, Trade Union, Bihar, Bailey Road, Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Anwar Karim, Advocate
For the Respondent/s : Mr. Ajay Kr.Rastogi -Aag10

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and

HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 30-06-2022

Heard the learned counsel for the parties.

The appellant, a Welfare Association, wants registration as a trade union, which request was turned down by the concerned authority.

The learned Single Judge, while testing the aforesaid order, found that the appellant was required to invoke the appellate provision under the Trade Unions Act, 1926 Section 11(1)(aa).

By the order impugned, the appellant was directed to prefer an appeal and should he have made such an application



within a month of the passing of the order, the appellate authority was given the direction to consider and dispose of the appeal on merits, without non-suiting the appellant on the ground of the same not having been done within the prescribed period.

Not having done so, the appellant preferred the present appeal.

We find that the learned Single Judge had passed the order on 14.09.2017 and this appeal was filed on 22.12.2017, which was taken up for the first time only in the year 2020.

Considering the delay, we direct that in case an appeal is now filed by the appellant within a period of sixty days from today, the appellate authority shall take into account the grievances of the appellant and shall pass a reasoned order within a further period sixty days.

This appeal stands disposed off accordingly.

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
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Transmission Date	

