

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.17316 of 2019**

Bindeshwari Jha Son of late Kameshwar Jha, Resident of Village- Kakwara,  
P.O. and P.S. Banka, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Labour Department,  
Govt. of Bihar, Patna.
2. The District Magistrate Cum Collector, Bhagalpur.
3. Mr. Ashok Kumar Pandey, Presiding Officer, Labour Court, Bhagalpur.
4. Certificate Officer, Bhagalpur.
5. Gauri Shankar Jha, Son of Sri Sarjun Jha, Resident of Village- Kakwara,  
P.O. and P.S. Banka, District- Banka at Present Residing at Room No. 11,  
Neetraj Society, Singh Estate , Kanhiwali, Mumbai, Pincod- 40056

... .. Respondent/s

**Appearance :**

|                      |   |                                  |
|----------------------|---|----------------------------------|
| For the Petitioner/s | : | Mr. Deepak Kumar Sinha, Advocate |
| For the State        | : | Mr. Sarvesh Kumar, GP-24         |
|                      |   | Mr. Anuj Kumar, AC to GP 24      |

**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE PARTHA SARTHY**

**ORAL JUDGMENT**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date : 08-12-2022**

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

“I. To command and direct the respondents for ensure the award amount of Rs. 2,04,580/- which was awarded by the court of Presiding Officer, Labour Court, Bhagalpur vide W.C. Case No. 01/2007 on 15.06.2013 in favour of petitioner after disposal of Certificate Case No. 12/14-15 pending before the District Magistrate, Bhagalpur for implementation of above order.



II. To further command and direct the respondents to disposed of the Certificate Case No. 12/14-15 pending before the District Magistrate, Bhagalpur immediately because matter is related to person of about 82 years old who lose his son (as a labour) in accident on 03.08.2004, result of that death was held, despite the order of Labour Court, Bhagalpur dated 15.06.2013 and pending Certificate Case i.e. 12/14-15 before the D.M., Bhagalpur, no payment is made till date.

III. For which petitioner is entitled for.”

It is brought to our notice that money in terms of award passed by the Presiding Officer, Labour Court, Bhagalpur in W.C. Case No. 01/2007 on 15.06.2013, has yet not been paid to the petitioner.

Resultantly, the petitioner has preferred the proceedings under the Bihar & Orissa Public Demands Recovery Act, 1914 and Certificate Case No. 12/2014-15 is pending before the District Magistrate, Bhagalpur.

The Award pertains to the year 2013 and the Certificate Case was instituted way back in 2014-15. As such, we direct the Respondent No. 4, namely, Certificate Officer, Bhagalpur to positively expedite the proceedings pending, if any, before him and decide the same within a period of six months from the date of production of a copy of this judgment.



Present petition stands disposed of in the aforesaid terms.

Interlocutory application(s), if any, shall also stand disposed of.

**(Sanjay Karol, CJ)**

**( Partha Sarthy, J)**

Spd/Sujit

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