

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9072 of 2023

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Mahesh Paswan, Member of National Executive and Bihar Province In-Charge of All India Warehousing Corporation Employees Union (male) aged about 52 years son of Late Ramasharay Paswan, Resident of Ward No. 28, near Hanuman Mandir, Katari Hill, Police Station- Chandauti, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Labour Commissioner, Labour Department, Government of Bihar, Patna.
2. The Managing Director, Bihar State Food and Civil Supplies Corporation Ltd, Khadya Bhawan, Daroga Prasad Ray Path, R Block, Road No.2, Patna 800001.
3. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd, District Office, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Binay Kumar, Advocate.
For the Respondent/s	:	Mr. Sarvesh Kumar, GP-24.
		Vishwa Ranjan Choudhary, Advocate.
For the BSFC	:	Mr. Shailendra Kumar Singh, Advocate.
		Mr. Utkarsh Utpal, Advocate.

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

2 21-09-2023 Heard learned counsel for the parties.

2. The present writ petition has been filed for the following reliefs:-

“For issuance of appropriate writ/writs, order/orders and direction/directions to quash the letter No. 3830 dated 17.05.2023 issued by the Respondent No. 2 and order to make payment of wages for piece work to the labourers at revised piece rate of Rs. 11/- per bag of food grains for



loading and unloading as provided under Government Notification No. 3818, 3819 dated 30.09.2022 issued by the Department of Labour Resources, Government of Bihar vide Gazette No. 813 dated 30.09.2022.”

3. Learned counsel appearing on behalf of the petitioner has stated that inspite of giving several representations, the authorities are not fixing the minimum wages of the members of the petitioner's union. Therefore, learned counsel has prayed that a direction may be given to the Managing Director, Bihar State Food & Civil Supplies Corporation Ltd. i.e. Respondent No. 2 to redress the grievance of the petitioner and fix the minimum wages as per the law.

4. Per contra the learned counsel appearing on behalf of the respondents has stated that the representations which are annexed to the present Writ Petition do not contain any seal or endorsement that the official respondents have received the representations. Therefore, the petitioner may be directed to file a fresh representation ventilating his grievance before the Respondent No. 2 and the Respondent No. 2 may be directed to pass appropriate orders.

5. Having regard to the above made submissions, without going into the merits or demerits of the case, the present Writ Petition is disposed off directing the petitioner to file a



fresh representation before the Respondent No. 2 within a period of four weeks from today. On such representation being made, the Respondent No. 2 shall consider the same on its own merits strictly in accordance with law and pass necessary orders. The entire exercise shall be completed as expeditiously as possible preferably within a period of eight weeks from the date of receipt of the copy of the representation. Any order passed shall be communicated to the party.

6. With the above direction, the present Writ Petition stands disposed off.

(A. Abhishek Reddy , J)

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