

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.609 of 2023

M/s. Cobra Industrial Security Forces (India) Ltd., A company duly registered under the provisions of the Companies At, 1956, having its registered office at Tiwary Mansion, Kamla Nagar, Near Akash Trading, Kokar, P.S.- Sadar, Ranchi, Jharkhand and one of its Local Office at Samvedan, Ravikar Lane, Gujral Path, Keshari Nagar, P.S.- Shastrinagar, Patna, through its Director Sunil Kumar Tiwary, Son of Late Capt. S.N. Tiwari, Resident of Samvedan, Ravikar Lane, Gujral Path, Keshari Nagar, P.S.- Shastrinagar, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supply, Govt. of Bihar, Patna.
2. The General Manager (General Administration), Bihar State Food and Civil Supply Co-operation Ltd., Khadya Bhawan, Daroga Rai Path, R-Block, Road No.- 2, Patna- 800001.
3. Deputy General Manager (Administration), Bihar State Food and Civil Supply Co-operation Ltd., Khadya Bhawan, Daroga Rai Path, R-Block, Road No.- 2, Patna- 800001.
4. Amit Kumar Sinha, Son of Sri Binod Prasad Resident of Village- Sheranchak, P.O.- Lakhminia, P.S.- Ballia, District- Begusarai.
5. Rajendra Paswan, Son of Sri Dhaneshwer Paswan Resident of Village- Permanandpur, P.O.- Gospur, P.S.- Pratapganj, District- Supaul- 852215.
6. Arun Kumar Rajak, Son of Prabhu Rajak Resident of Choti Ballia (upper tola), P.O. Lakhminia, P.S.- Ballia, District- Begusarai.
7. Kanhaiya Kumar, Son of Sri Manoj Singh Resident of Village- Ratanpur, P.O.- Begusarai, P.S.- Town (Ratanpur O.P.), District- Begusarai (Bihar).
8. Praveen Roy, Son of Sri Ramdhan Roy Resident of Village- Buchauli, P.S.- Bhagwanpur, District- Begusarai.
9. Satyam Kumar, Son of Late Bola Pathak Resident of Village- Chanakya Nagar, Bishanpur, P.S.- Town, District- Begusarai.
10. Dev Narayan Mishra, Son of Shri Pulkit Mishra Resident of Village- Shokhara, P.S.- Pulwariya, District- Begusarai.
11. Sumit Kumar Singh, Son of Sri Ajay Singh Resident of Village- Gopalpur, P.S. and P.O.- Amdabad, District- Katihar- 854112.
12. Mahendra Mahto, Son of Sri Parilal Mahto Resident of Village- Sudamapur, P.O.- Bithan, District- Samastipur.
13. Shatrughan Choudhary (died) represented by Rukmini Kumari, Widow of Late Shatrughan Choudhary Resident of Village- Gopalpur, P.S. and P.O.- Amdabad, District- Katihar- 854112.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Bijay Shankar Choubey, Advocate



For the Respondent-BSFC : Mr.Shailendra Kumar Singh, Advocate

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

5 09-10-2023 Learned counsel for the petitioner stated that without giving an opportunity of hearing to the parties concerned, the Authority has passed the impugned order, contained as Annexure-4.

2. Learned counsel for the States submits that the order passed by Presiding Officer, Labour Court, Begusarai may be set aside and matter remanded back to the Authority concerned for passing orders afresh duly giving an opportunity of hearing to all the parties and then pass a reasoned order.

3. Learned counsel appearing on behalf of the respondent-BSFC has also fairly stated that the order may be set aside and the matter remanded back to the Presiding Officer, Labour Court, Begusarai for passing orders afresh.

4. Having regard to the above-mentioned submission, the impugned order is set aside and the matter is remanded back to the Presiding Officer, Labour Court Begusarai for passing orders afresh in P.W. Case No.17 of 2018. The Presiding Officer, Labour Court, Begusarai shall pass a reasoned order duly taking into account the records submitted by BSFC and the petitioner.



5. The entire exercised shall be completed as expeditiously as possible preferably within a period of 12 weeks from the date of receipt of a copy of this order. Any order passed shall be communicated to the parties concerned.

6. With the aforesaid observation, this writ petition is disposed of.

(A. Abhishek Reddy , J)

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