

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.347 of 2020

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1. Chandra Kali Devi W/o Mahendra Mistri Resident of Village- Mahuawan, P.o. and P.s.- Obra, District- Aurangabad
 2. Kunti Devi W/o Sanjay Mistri Resident of Village- Mahuawan, P.o. and P.s.- Obra, District- Aurangabad
 3. Raj Dhani Devi W/o Mathura Saw Resident of Village- Mahuawan, P.o. and P.s.- Obra, District- Aurangabad
 4. Basanti Devi W/o Pintu Singh Resident of Village- Mahuawan, P.o. and P.s.- Obra, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Bihar, Patna
2. The District Magistrate Aurangabad
3. The District Programme Officer (Establishment) Aurangabad
4. The District Education Officer Aurangabad
5. The Headmaster Middle School, Mahuwan, P.o. and P.s.- Obra, District- Aurangabad

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh
For the Respondent/s : Mr. Subhash Chandra Mishra (Sc16)

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

4 01-02-2023 The petitioners admittedly were working as *Rasoiya* who have been orally disallowed to work. They also claim salary for the period during which they had worked.

Admittedly, the work performed by the petitioners bring them within the ambit of workmen in terms of Section 2(s) of the Industrial Dispute Act, 1947 and, therefore, have a statutory remedy under Section 10 of the Act of 1947 to raise a



dispute regarding their wrongful retrenchment before the concerned Labour Court.

Keeping in view the aforesaid provisions, the writ petition is dismissed with liberty to the petitioners to raise a dispute directly before the concerned Labour Court. If a dispute is filed before the concerned Labour Court, the same shall be entertained directly and decided expeditiously preferably within a period of one year.

(Sanjeev Prakash Sharma, J)

Brajesh Kumar/-
Item no.20

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