

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15440 of 2018

-
1. Ganauri Sharma and Anr Son of Late Janak Sharma, Resident of Mohalla-Batraha, Ward No-25, Near Ram Tola Saharsa P.S.- Saharsa, District-Saharsa.
 2. Vidyanand Paswan, Son of Jagrup Paswan, Resident of Mohalla- Makhan Tola, Ward No.-05, Simri Bakhtiarpur, P.S.- Bakhtiarpur, District- Saharsa.

... .. Petitioners

Versus

1. The State Of Bihar through the Principal Secretary, Department of Labour Resources, Government of Bihar, Patna.
2. The Principal Secretary, Department of Labour Resources, Government of Bihar, Patna.
3. The Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna.
4. The Deputy Development Commissioner, Saharsa.
5. The Labour Superintendent, Saharsa.
6. The Bihar State Food and Civil Supplies Corporation Ltd., Sonebawan, Patna through Managing Direct.
7. The Managing Director, Bihar State Food and Civil Suplies Corporation Ltd., Sonebawan, Patna.
8. The General Manager (Transport), Bihar State Food and Civil Supplies Corporation Ltd., Saharsa.
9. The District Manager, Bihar State Food and Civil Supplies Corporation, Saharsa.
10. Sri Suman Singh, Transporter cum Handler Contractor (T&H), Bihar State Food and Civil Supplies Corporation, Saharsa.
11. Sri Mukesh Kumar Yadav, Transporter cum Handler Contractor (T&H), Bihar State Food and Civil Supplies Corporation, Saharsa.

... .. Respondents

Appearance :

For the Petitioners	:	Mr. Md. Anis Akhtar
For the BSFC	:	Mr. Shailendra Kr. Singh, Advocate
	:	Mr. Utkarsh Utpal, Advocate
For the State	:	Mr. S. Raza Ahmad- AAG5

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL ORDER

16 05-04-2024

Heard the learned counsel for the petitioners as well
as the learned counsel for the respondents.



2. In view of the order dated 09.10.2023, passed by this Court, the petitioners have made appropriate application before the authorities with supporting documents and the authorities concerned has examined the claims of the petitioners and found it to be correct and they have paid the difference amount of the dues to the petitioners.

3. At this juncture, the learned counsel for the petitioners contends that the petitioners are the members of Food Allied Workers Union and further contends that the respondents have paid amount to one petitioner belonging to one *godown* and also paid difference amount to 16 members including the second petitioner, who is the member of another *godown* and contends that the other members of the Union were not paid, therefore, the counsel for the petitioners seeks direction to direct the authorities to settle their amounts also.

4. Learned counsel for the State contends that the writ petition has become infructuous, as the amount of the petitioners is hereby settled and, therefore, prayed to dismiss the case, as it is devoid of merits.

5. The petitioners allege that they have been authorized by the representative of the Food and Allied Workers Union to prefer this writ petition, but no such documentary



evidence is filed before this Court to prove that the Food and Allied Workers Union have passed a resolution, directing the petitioners to file the writ application before this Court on behalf of the Union.

6. The records also reveal that petitioners filed the writ petition in their individual capacity, but not in capacity of the Union. In the absence of any such oral or documentary evidence, this Court cannot direct the respondents to settle the disputes of all the other members who are not the parties before this Court.

7. Admittedly, the difference amount which is due by the respondents to the petitioners got settled and, therefore, nothing remains in this matter for adjudication.

8. With the above observations, this writ petition is disposed of.

(G. Anupama Chakravarthy, J)

Shanu/-

U			
---	--	--	--

