

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9516 of 2016

Bindeshwar Prasad Son of Late Genda resident of village - Iguni, P.O. Paraiya, District - Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Bihar, Patna
3. The Director Industry, Department, Govt. of Bihar, Patna
4. The Chief Administrator, Bihar State Sugar Corporation Limited, Patna
5. The Managing Director, Bihar State Sugar Corporation Limited, Camp office, Patna, Ganna Udyog Depar
6. The General Manager, Bihar State Sugar Corporation Limited, Unit Guraru Camp Patna, Ganna Udyog Dep

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Sharma, Advocate
For the BSSCL	:	Mr. Gyan Shankar, Adv.
For the State	:	Mrs. Archana Meenakshee, GP-6
		Mr. Rohit Singh, AC to GP-6

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 24-06-2025 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the Bihar State Sugar Corporation Limited.

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

i) For quashing of the order contained in letter no. 44/15/2016 dated 02.02.2016 (Annexure-5) of the General Manager, whereby and where under the petitioner has been retired with effect from



21.12.2011 even without asking show- cause and providing any opportunity to him of being heard.

ii) For issuance of the action to reinstate the petitioner in service till attaining the age of superannuation i.e. 21.12.2018 considering his date of birth as 21.12.1958 following direction contained in letter no. 4978 dated 05.07.1988 (Annexure- 6..) of the Chief Administrator Bihar State Sugar Corporation Limited, Patna (Respondent no. 4) for issuance of direction commanding the respondent to make payment of arrears of salary with all consequential benefits of the period February, 2016 to till date of reinstatement along-with interest @ 12% per annum along-with cost for harassing the petitioner up to this Hon'ble Court.

iii) For any other relief or reliefs to which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

3. Learned counsel for the Bihar State Sugar Corporation Limited raised preliminary objection and submits that the employees of sugar factory are the work men within the meaning of Section 2(s) of the Industrial Disputes Act, 1947 [Act No. 14 of 1947].



4. Learned counsel for the petitioner submits that the writ petition may be disposed off granting liberty to the petitioner to raise his grievances under the Industrial Disputes Act, 1947 [Act No. 14 of 1947].

5. Learned counsel for the State and Bihar State Sugar Corporation Limited has no objection for the same.

6. In this view of the matter, the present writ petition stands disposed off, granting liberty to the petitioner to avail his remedy under the Industrial Disputes Act, 1947 within 60 days from the date of production of the order.

(Dr. Anshuman, J.)

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