

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(L). No. 6035 of 2012

Employers in relation to the Management of
Food Corporation of India,
through its General Manager (Region), Patna ..Petitioner
Versus

1. Birendra Rai.
 2. Girja Bharti
-Respondents

Coram: **HON'BLE MR. JUSTICE NARENDRA NATH TIWARI**

For the Petitioner : Mr. Satish Bakshi, Advocate
For the Respondents : Mrs. M.M. Pal, Sr. Advocate

I.A. No. 5722 of 2013

04/7-5-2014 In this application, the applicants/respondents-workmen have prayed for a direction on the writ petitioner-management to pay the arrears and wages to the respondents-workmen in terms of provision of section 17 (B) of the Industrial Disputes Act.

It has been stated that the award of reinstatement and regularization has been made in Reference Case No. 41 of 2001. The management has challenged the award in the instant writ petition. The respondents-workmen are not gainfully employed within the said period. It has been further stated that the respondents-workmen were getting Rs.1800/- per month at the time of their termination.

Mrs. M.M. Pal, learned senior counsel, appearing on behalf of applicants/respondents-workmen, submitted that in view of the said provision, the applicants/respondents-workmen are entitled to get wages last drawn as well as arrears thereof in terms of section 17(B) of the I.D. Act.

Learned counsel appearing on behalf of the petitioner-management opposed the application. However, no affidavit in opposition has been filed disputing the facts mentioned in the application.

In view of the award of reinstatement and regularization in favour of the applicants/respondents-workmen and that the management has challenged the said award in the instant writ petition, the applicants are entitled for getting wages last drawn in terms of section 17 (B) of the I.D. Act.

The writ petitioner-management is, accordingly, directed to comply with the said provision of section 17(B) of the I.D. Act and pay wages last drawn including the arrears to the applicants/respondents-

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workmen from the date of filing of the writ petition, within six weeks from the date of receipt/production of a copy of this order.

I.A. No. 5722 of 2013 is disposed of.

(Narendra Nath Tiwari, J)

Rakesh/

