

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).9613/2004

(From the judgement and order dated 20/01/2004 in LPA No. 307/1996 of
The HIGH COURT OF PATNA)

BALO RAI (D) BY LRS. & ORS.

Petitioner

(s)

VERSUS

BIHAR STATE ELECTRICITY BOARD & ORS.

Respondent

(s)

(With appln(s) for substitution and c/delay in filing substitution and
intervention and exemption from filing official translation and C/delay
in filing counter affidavit and addl. affidavit and with prayer for
interim relief)

WITH S.L.P.(C) NO. 1249 of 2005

(With appln(s) for c/delay in filing SLP,c/delay in refiling SLP)

(With office report)

Date: 25/04/2005 These Petitions were called on for hearing today.

raise an industrial dispute and claim regular scale of pay. The High Court also, in its impugned order, has given that liberty to the petitioners.

In the circumstances, we dispose of these Special Leave Petitions with the observation that the petitioners may, if so advised, raise an industrial dispute which may be adjudicated upon by a competent Tribunal. In the adjudication proceeding before the Tribunal or Labour Court, as the case may be, the Tribunal or the Labour Court will not be influenced by any observation made either in the judgment of the learned Single Judge or of the Division Bench. The Tribunal/Labour Court shall decide the matter on the basis of the material before the Tribunal/Labour Court.

Counsel for the petitioner states that the petitioners will immediately seek a reference under Section 10 of the Industrial Disputes Act. If that is done, we have no doubt that the appropriate Government will pass an appropriate order expeditiously, in accordance with law.

These Special Leave Petitions are disposed of in the above

terms.

(SUKHBIR PAUL KAUR) (ANAND SINGH)

COURT MASTER

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