
(2004) 03 JH CK 0104
In the Jharkhand High Court
Case No : CWJC No. 3544 of 1996 (R)

Dineshwar Singh

APPELLANT

Vs

Bihar State Road Transport Corporation and Others

RESPONDENT

Date of Decision : 29-03-2004

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2004) 3 JCR 340

Hon'ble Judges : Amareshwar Sahay, J

Bench : Single Bench

Advocate : I. Sen Choudhary, S.L. Agarwal, for the Appellant;

Judgement

Amareshwar Sahay, J.—Learned counsel for the petitioner is permitted to add the State of Bihar as well as the State of Jharkhand as party respondent in this writ application. Learned counsel for the petitioner is directed to serve two copies of the writ application along with annexures on Mrs. Sen Choudhary, SC III for the State of Jharkhand and Mr. Allam, learned counsel for the State of Bihar by day after tomorrow, failing which this application shall stand rejected without further reference to a Bench.

2. This is one of those cases, in which claim for payment or arrears of salary has been made by the employees of the State Road Transport Corporation which according to the petitioner has not been paid since June, 1994.

3. With regard to the employees of the Bihar State Road Transport Corporation (BSRTC), the Apex Court in civil appeal No. 7290 of 1994, State of Bihar v. Surajdeo Singh and Ors., has passed several directions for payment of the arrears of salary to the employees of the BSRTC.

4. However, it appears that a WP (C) No. 488 of 2002 was filed before the Supreme Court by an Advocate of the Supreme Court against the State of Bihar and others for payment of salary to the employees of different State Corporations/Companies and an interim order has been passed by the Supreme

Court in the said writ petition in the case of Kapila Hingorani Vs. State of Bihar, . The Supreme Court in its order in paragraph 17 of the said order has constituted a Committee of three members chaired by a Retired High Court Judge or a sitting District Judge to scrutinise the assets and liabilities of a company and submit its report to the High Court.

5. Learned counsel for the petitioner in this writ application is not in a position to inform this Court as to what action has been taken by the State of Bihar pursuant to the order of the Supreme Court in the case of Kapila Hingorani v. The State of Bihar (supra).

6. In that view of the matter, learned counsel for the petitioner, learned counsel for the Bihar State Road Transport Corporation, Mrs. Sen Choudhary, SC III appearing for the State of Jharkhand and Mr. Allam, learned counsel for the State of Bihar are directed to seek instruction and file affidavit within a period of four weeks stating in detail about the action taken in this regard pursuant to the order of the Supreme Court as aforesaid.

Put up this case after four weeks.

Let a copy of the order be handed over to all the parties concerned.