
(1999) 10 AHC CK 0122
In the Allahabad High Court
Case No : C.M.W.P. No. 45573 of 1999

Dr. Ajai Dhar Dubey

APPELLANT

Vs

State of U.P. and another

RESPONDENT

Date of Decision : 29-10-1999

Acts Referred:

Citation : (2000) 1 AWC 267

Hon'ble Judges : M. Katju, J;D.R. Choudhary, J

Bench : Division Bench

Advocate : Pradeep Verma, for the Appellant;

Final Decision : Disposed Of

Judgement

M. Katju and D. R. Chaudhary, JJ.—Heard learned counsel for the petitioner and the learned standing counsel.

2. The petitioner has prayed for a mandamus directing the State Government to fill up the post of Presiding Officer of Labour Court, Allahabad, which has been lying vacant for more than a year. It is really regrettable that the Presiding Officer in the Labour Court has not been appointed for such a long time, and this must be causing a lot of inconvenience to the workmen and others concerned who have raised Industrial disputes for adjudication by the Labour Court.

3. We are of the opinion that the post of Presiding Officer in the Labour Court, Allahabad must be filled up expeditiously and we direct accordingly. We are also of the opinion that persons who are appointed on the post of Presiding Officers of Industrial Tribunal /Labour Court, should have a good knowledge of labour law. Experience has shown that very often persons are appointed on these posts who have little or no knowledge of labour laws, and consequently, cases cannot be speedily decided. Industrial disputes should be speedily decided, otherwise not only the parties concerned but also society suffers. Industrial law is a specialized branch of law, and in this age of specialization no person can possibly be a specialist in all branches of the law. Hence, we direct that the appointment on

such posts should be made of persons having specialized knowledge of labour law so that the disposal of the cases may be speedy and the judgments of good quality. The State Government must take into consideration this aspect before making appointments on the post of Presiding Officers of the Labour Court/ Industrial Tribunal.

4. With the aforesaid observations, the writ petition is disposed of. Let the Registrar of this Court send a copy of this judgment to the State Government through the Law Secretary, U. P. Government, Lucknow.