

(1999) 10 AHC CK 0040
In the Allahabad High Court

Case No : Civil Miscellaneous Writ Petition No. 45573 of 1999

Raj Dhar Dubey

APPELLANT

Vs

State of U.P.& Anr.

RESPONDENT

Date of Decision : 29-10-1999

Acts Referred:

Citation : (1999) 10 AHC CK 0040

Hon'ble Judges : M.Katju, J and D.R.Chaudhary, J

Final Decision : Disposed Of

Judgement

1. 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 President 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 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 President 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 President 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 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 taking appointments on the post of Presiding officers of the Labour Court/Industrial

Tribunal.

4. With the aforesaid observations, the writ petitions if 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.