

(2008) 09 MP CK 0064
In the Madhya Pradesh High Court

Shivanand Misra

APPELLANT

Vs

M.P. Road Transport Corporation and Another

RESPONDENT

Date of Decision : 15-09-2008

Acts Referred:

Citation : (2008) 119 FLR 819 : (2009) 2 LLJ 239

Hon'ble Judges : Ravi Shankar Jha, J

Bench : Single Bench

Judgement

R.S. Jha, J.—The petitioner has filed this petition claiming relief in respect of payment of bonus and over time etc.

Shri Shobhit Aditya, learned Counsel for the respondents submits that in view of the decision of the respondents dated July 24,2002 the petitioner's representation regarding his entitlement to the aforesaid claim can be considered by the respondents. However, in case, the representation is rejected or the relief claimed by the petitioner is disputed, the remedy of the petitioner lies before the Labour Court as he has an alternative efficacious remedy under the Industrial Disputes Act and the present petition could not be maintainable.

2. In view of the submissions made by the learned Counsel for the respondents, the petition is disposed of with a direction to the respondent-authorities to consider the petitioner's representation to the extent of the entitlement in respect of the claim made by him. It is made clear that the aforesaid direction is issued in view of the undertaking given by the learned Counsel for the petitioner that in case, his representation is rejected and he is not satisfied with the order passed by the authorities, he would approach the Labour Court for redressal of his grievance in accordance with law.

3. It need not be emphasized that the authorities shall consider and take decision on the representation of the petitioner expeditiously, preferably, within a period of three months from the date of furnishing certified copy of the order passed today in this petition.

With the said observations, the petition stands disposed of. C.C. as per rules.