

(2005) 02 JH CK 0078

In the Jharkhand High Court

Case No : Writ Petition (L) No. 526 of 2005

Their Workman Sri Ram Surat Ram represented by Bokaro
Karamchari Panchayat

APPELLANT

Vs

Management of Steel Authority of India Ltd.

RESPONDENT

Date of Decision : 10-02-2005

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2005) 2 JCR 88

Hon'ble Judges : S.J. Mukhopadhaya, Acting C.J.

Bench : Single Bench

Advocate : K.K. Jhunjhunwala, GP III, S.K. Ughal, Prabhash Kumar and T. Kabiraj, for the Appellant;

Final Decision : Dismissed

Judgement

S.J. Mukhopadhaya, A.C.J.

1. This application has been preferred by the workman against the award dated 10th June, 2004, passed by learned Presiding Officer, Bokaro Steel City, Bokaro in Reference Case No. 36 of 2000, whereby and where under the reference has been answered against the workman and it has been held that the workman, Ram Surat Ram, is not entitled to any relief.

2. The workman, in fact, claimed promotion, which was not granted. At his instance, Bokaro Karamchari Panchayat took up the matter and raised dispute. The Government of Bihar vide its Notification No. 7/Shram-D-360/20/99 L and E-453 dated 1.7.2000 u/s 10(1)(c) of the Industrial Disputes Act made the following reference:

"Whether the demotion of Sri Ram Surat Ram Staff No. 139396 of Bokaro Steel Plant in the case of regular promotion by the management is justified? If not, then what relief is entitled to Sri Ram?"

3. The main plea taken by the workman was that the Management Company, having framed its Rule/Regulation for cluster promotion and thereby conducted written test/interview for promotion to the post of Senior Operative, has not strictly adhered to it. It was alleged that one Sri D.N. Prasad Dhobi, who was junior to him, had been promoted to the higher post of Operative Grade-II (L-7) on 16th January, 1989 and was further given promotion to the higher post of Grade (L-9), but the petitioner-workman was not given such promotion.

4. Both the parties led their evidence. The Management brought on record the fact that the workman, Shri Ram Surat Ram appeared along with one another (Raja Ram) in the written test but having failed in the said test he (Ram Surat Ram) could not be taken in post of Operative Grade III, whereas Raja Ram, having passed in the test, was promoted. The learned Presiding Officer, by the impugned award dated 10th June, 2004, has noticed all the relevant evidence and on proper appreciation of evidence held that the workman was rightly superseded in the matter of promotion.

5. I find no ground made out to interfere with the award in question. There being no merit, this writ petition is dismissed.