
(2003) 02 JH CK 0086
In the Jharkhand High Court
Case No : Writ Petition (L) No. 2672 of 2002

Wakil Singh	Vs	APPELLANT
Presiding Officer, Labour Court and Others		RESPONDENT

Date of Decision : 10-02-2003

Acts Referred:

Constitution of India, 1950 — Article 226
Industrial Disputes Act, 1947 — Section 2

Citation : (2003) 2 JCR 524

Hon'ble Judges : M.Y. Eqbal, J

Bench : Single Bench

Advocate : Sanjay Kumar Dwivedi, for the Appellant; None, for the Respondent

Final Decision : Allowed

Judgement

M.Y. Eqbal, J.—Heard the parties.

2. This writ petition is directed against the order dated 19.3.2002 passed by Presiding Officer, Labour Court, Jamshedpur whereby he has allowed the application filed by the respondent company and decided to take up some of the issues as a preliminary issue before deciding other issues. The proceeding before the Labour Court arose out of a reference made by the appropriate Government and the term of reference was as to whether the petitioner -the workman of MHS Department IISCO Ltd. is a workman u/s 2(s) of the I.D. Act, 1947 and whether the retirement is justified. The Labour Court entertained the application filed by the respondent and finally ordered that the matter shall be heard only as preliminary issue (objection raised by the management). In my opinion the Labour Court is not at all justified in proceeding with piecemeal hearing of the case. It would be proper for the Labour Court to decide all the issues including the preliminary issues raised by the respondent.

3. For the aforesaid reason this writ application is allowed and the impugned order is modified by directing the Labour Court to take up all the issues and

decide the same by passing reasoned judgment as expeditiously as possible.