

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**(Civil Writ Jurisdiction)**  
**W.P.(L) No. 7979 of 2012**

.....  
The Management of M/S Hindustan Steel Construction Limited  
..... **Petitioner**

**Versus**

Their Workmen, represented by Sri Shailendra Prasad,  
General Secretary HSCL Rastriya Shramik Sangh  
..... **Respondent**

**CORAM: HON'BLE MR. JUSTICE KAILASH PRASAD DEO**  
**(Through : Video Conferencing)**

.....  
For the Petitioner : Mr. R. S. Mazumdar, Sr. Advocate  
: Mrs. J. Mazumdar, Advocate.  
For the Respondent :  
.....

**06/09.09.2021.**

Heard, learned senior counsel for the petitioner, Mr. R. S. Mazumdar assisted by Mrs. J. Mazumdar.

The Management of M/S Hindustan Steel Construction Limited has preferred this writ petition for setting aside the order dated 29.10.2010 passed by learned Presiding Officer, Labour Court, Bokaro in Reference Case No.10/2003, whereby learned Labour Court has not considered the case of the respondent holding that HSCL has very sound financial condition and this fact has been admitted by the Management witness No.1, Shiv Kumar Tiwary, as such, implementation of the high scale according to recommendation of High Power Pay Committee, 1986 is not difficult for HSCL.

Learned senior counsel for the petitioner has assailed the impugned award on two grounds:-

(1) That State Government has no role in referring the matter before the learned Labour Court, it should have been referred before the Central Industrial Tribunal as the HSCL is a public sector unit under the Central Government.

(2) That claim, which has been decided by the learned Labour Court is stale one which has been made in the year 2003 after 17 years with regard to recommendation of High Power Pay Committee, 1986, as such, notice may be issued to the respondent.

Considering such submission, let notice be issued to Their Workmen, represented by Sri Shailendra Prasad, General Secretary HSCL

Rastriya Shramik Sangh Bihar Pradesh having its office at Qr. No.560, Sector I/B, Bokaro Steel City, P.O. & P.S.- Bokaro Steel City, District-Bokaro under both process i.e. under registered cover with A/D as well as under ordinary process, for which requisites etc. must be filed within a period of one week.

Put up this case after service of notice.

**(Kailash Prasad Deo, J.)**

Jay/-