

IN THE HIGH COURT OF JHARKHAND, RANCHI

Cr. M. P. No. 342 of 2014

M/s World Class Services
through Sri Devendra Arora,
Indore Petitioner(s)

Versus Opp. Party(s)
The State of Jharkhand
CORAM: HON'BLE MR. JUSTICE R. R. PRASAD

For the Petitioner(s) : M/s H. K. Mehta,
M. Patra, Kanchan Kumari, Advocates.
For the State : A.P.P.

04 /21.04.2014. Having heard learned counsel appearing for the parties and on perusal of the record, it does appear that the Labour Enforcement Officer [Central], Ranchi lodged a case against the petitioner which was registered as Complaint Case being Case No.C-III /2010 for contravention of the provisions as contained in Rules 22, 26(5), 26(1), 25(2), 21(4) and 26(2) punishable under Section 22(A) of the Minimum Wages Act, 1948.

Upon cognizance being taken, summon was ordered to be issued. Without there being any service report, the Court passed an order for issuance of warrant of arrest bailable on 4.04.2011 and then on 30.08.2012 the order was passed for issuance of non-bailable warrant of arrest. Further it does appear that without there being any report relating to the execution of the warrant of arrest, an order was passed on 05.12.2012 for issuance of process under Section 82 Cr.P.C. and then an order was passed on 23.02.2013 for issuance of process under Section 83 Cr.P.C. and thereby none of the orders, as mentioned above, seems to have been passed in accordance with law.

Accordingly, all the orders mentioned above are hereby, set aside. Consequently, the petitioner is directed to appear before the court below, within two weeks from today.

In the result, this petition stands allowed.