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SINGLE BENCH

IN THE HIGH COURT OF JUDICATURE AT BILASPUR
CHHATTISGARH

Writ Petition No. 5374 /2005

Petitioners:

- ✓ 1. State of Chhattisgarh,
Through the Executive Engineer,
Hasdeo Kharang Maniyari Ayacut
Division, Bilaspur (CG)
- ✓ 2. Sub Divisional Officer, Maniyari
Ayacut (Kada) Sub Division No.4,
Through Commissioner and President.
Hasdeo Ayacut Development Authority,
Bilaspur (MP) (Now C.G.), through
Authorised Officer Shri V. K. Khalkho
S.D.O. Hasdeo ayacut Sub Division No.5
Akaltara District Bilaspur (CG)

Versus

Respondents:

- ✓ 1. Pilluram Yadav, S/o Siyaram Yadav, R/o
Village Jhapal, Post Lormi, District,
Bilaspur (CG)
- ✓ 2. State Industrial Court, Bench Raipur (CG)
- ✓ 3. The Presiding Officer, Labour Court,
Bilaspur (CG)



WRIT PETITION UNDER ARTICLE 227 OF THE
CONSTITUTION OF INDIA.



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HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. No. 5374 of 2005

PETITIONERS : State of Chhattisgarh & another

VERSUS

RESPONDENTS : Pilluram Yadav & others

(WRIT PETITION UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA)

(SB: Hon'ble Mr. N.K. Agarwal, J.)

Present : Shri SP Kale, Deputy Advocate General for the
State/petitioners.
Shri NK Vyas, Advocate for the respondent No. 1.

ORAL ORDER
(Passed on 01.01.2014)

1. By way of this petition, the petitioners are assailing the legality and propriety of order dated 03.03.2003 passed by the Industrial Court, Raipur, in Civil Appeal 417/MPIR Act/97 affirming the order dated 26.11.1997 passed by the Labour Court, Bilaspur, in case No. 138/MPIR Act/95 whereby the services of respondent No. 1 has been reinstated.
2. Learned counsel appearing for the respondent No. 1 submits that in view of circular dated 5th March, 2008, issued by the State of Chhattisgarh, the respondent's name is under consideration for regularization, and therefore, while setting aside the orders impugned passed by the Labour Court as well as Industrial Court, the petitioners/State be directed to consider the case of respondent No. 1 for his regularization strictly in accordance with circular dated 5th March, 2008 within the specified time frame.



3. Prayer is not opposed and is also otherwise reasonable.
4. In view of above, the petition is allowed. Orders impugned dated 03.03.2003 passed by the Industrial Court, Raipur as well as 26.11.1997 passed by the Labour Court, Bilaspur, are set aside. Instead, the petitioners/State is directed to decide the respondent's case for his regularization strictly in terms of circular dated 5th March, 2008, within a period of six months from the date of receipt of a copy of this order. Till then, the respondent be allowed to remain in service. No order asto costs.

Sd/-
N. K. Agarwal
Judge

Sahu