

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(L) No. 1713 of 2007

1. State of Chhattisgarh through the Executive Engineer,
Department of Public Works Department (B&R) Khairagarh,
District Rajnandgaon (C.G.)
2. Sub Divisional Officer, Department of Public Works Department
(B&R) Dongargarh, District Rajnandgaon (C.G)

---- Petitioners

Versus

Radheshyam S/o Hiranman Sinha, R/o village Dhusera, P.O.
Jatkanhar, Tahsil Dongargarh, District Rajnandgaon (C.G.)

---- Respondent

For Petitioners/State	-	Shri Ravindra Agrawal, P.L.
For Respondent	-	Shri Anup Majumdar, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

10/07/2015

The instant writ petition has been filed on behalf of the State challenging the award dated 18.04.2006 passed by the Labour Court Rajnandgaon in Case No. 1/I.D. Act Ref./2000 whereby the Labour Court has granted a relief of reinstatement of the respondent in employment/service without back wages.

2. Counsel for the State submits that the entire award passed by the Court below is contrary to the evidence and also the settled position of law as the Court below has not appreciated the correct legal position while passing of the award.

3. However, on perusal of the impugned award particularly paragraph-5 it reveals that in spite of repeated opportunities being granted to the State, it failed to adduce evidence before the Court below to substantiate their contention particularly to disprove the claim raised by the workman. Thus, in absence of any evidence put forth by the State against the claim raised by the workman, the award passed

by the Labour Court being based on the evidences and material available on record does not warrant any interference by this Court.

4. Accordingly, the instant writ petition being devoid of merit, the same fails and stands dismissed.

(P. Sam Koshy)
JUDGE