

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPL No. 1 of 2012

1. The Branch Manager, Durg Rajnandgaon Gramin Bank, Nankatthi Branch, Village & Post Nankatti, Distt. Durg (C.G.)
2. The Chairman, Durg Rajnandgaon Gramin Bank, Head Office, Rajnandgaon, M.P. Housing Shopping Complex, G.E. Road, Rajnandgaon Cg

---- Petitioners

Versus

1. Sukhit Ram Nishad, S/o Shri Biseswar Ram Nishad, Village & Post Nankatti, Distt. Durg (C.G.)
2. Central Government Industrial Tribunal-Cum-Labour Court, Through Its Presiding Officer, C.G.I.T.(Central), Nagpur (MH)

---- Respondents

For Petitioners	Shri Vinod Deshmukh, Advocate
For Respondent No.1	Shri P.R. Patankar, Advocate

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board By

06/10/2015

1. With the consent of the learned counsel for the parties, the matter is heard finally.
2. The petitioner bank would assail the order passed by the C.G.I.T. cum Labour Court, Nagpur, whereby while holding that the termination of respondent No.1 amounts to illegal retrenchment, the Tribunal has denied reinstatement to allow monetary compensation of Rs.25,000/-.

3. Having heard learned counsel for the parties and the documents available on record, it would appear that there is a finding that the respondent No.1 had worked for more than 240 days in the preceding 12 calendar months from the date of termination. The said finding, being in the realm of finding of the fact, is not open to scrutiny by the Writ Court, unless it is shown to be perverse. No such document has been placed before this Court to demonstrate that the said finding is perverse.
4. In view of the foregoing and since the writ petition is only against grant of monetary compensation of Rs.25,000/- to the respondent No.1, there is no substance in the writ petition, it fails and is hereby dismissed.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA