

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3635 of 2015**

Surendra Singh S/o Late Shri Damodar Singh, Aged About 69 Years, F/2/36, Om Shanti Nagar- 2, Near Bhamari Well, Lamba Vatuva Road, Narol, District Ahmandabad, Gujarat

---- **Petitioner**

Versus

1. National Thermal Power Corporation Limited Korba Super Thermal Power Station, Through its General Manager, Post Office Vikas Bhawan, District Korba (Chhattisgarh)
2. General Manager, National Thermal Power Corporation Limited, Korba Super Thermal Power Station, Post Office Vikas Bhawan, District Korba (Chhattisgarh)
3. Group Manager, National Thermal Power Corporation Limited, Korba Super Thermal Power Station, Post Office Vikas Bhawan, District Korba (Chhattisgarh)
4. Senior Manager (H R), National Thermal Power Corporation Limited, Korba Super Thermal Power Station, Post Office Vikas Bhawan, District Korba (Chhattisgarh)

---- **Respondents**

For Petitioner	:	Mr.Malay Shrivastava, Advocate
For Respondents	:	Mr. B.D.Guru, Advocate on advance copy

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

09/10/2015

1. The Labour Court, Bilaspur has allowed the application filed by the petitioner under Section 31(3) of the Madhya Pradesh Industrial Relations Act, 1960 (for short 'the Act of 1960') vide order dated 31.1.2002 and held that the petitioner is entitled for pay fixation on the pay scale of Rs.804/- from 30.9.1983, but he is actually entitled for the said benefit from 6.10.1993.

2. The respondents preferred an appeal before the Industrial Court, Bilaspur. The Industrial Court by its order dated 24.3.2004 dismissed the same. The writ petition being Writ Petition No.1863 of 2004 filed by the respondents was also dismissed on 8.11.2014.

3. Now the petitioner has filed the present writ petition that actual benefit in terms of order of the Labour Court is not being given to him and by Annexure P/1, Rs.33,657/- has been sent towards full and final satisfaction of his claim and it has been directed that no arrears is due.

4. Mr.Malay Shrivastava, learned counsel appearing for the petitioner would submit that order of the Labour Court as affirmed by the Industrial Court and this Court is not being implemented by the respondents particularly respondent No.2.

5. Mr.B.D.Guru, learned counsel appearing for the respondents would submit that respondent No.2 will consider the representation made by the petitioner again in accordance with law preferably within a period of two months from today.

6. In view of submission made by learned counsel appearing for the parties, the writ petition is finally disposed of with a direction to respondent No.2 to consider the representation of the petitioner in accordance the order of the Labour Court duly affirmed by the Industrial Court and this court within the aforesaid period and to pass speaking/reasoned order therein.

7. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-