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**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (L) No. 4440 of 2010**

Reshu Ram Katendra aged about 52 years S/o Bihari Lal Katendra Ex. Junior Cashier-cum-Clerk Chhattisgarh Gramin Bank R/o Village Chinauri Post Lakhanpuri District Kanker Chhattisgarh.

**---- Petitioners****Versus**

1. Government of India through the Secretary Ministry of Labour and Employment Shram Shakti Bhawan Rafi Marg New Delhi.
2. Regional Labour Commissioner (Central) Raipur District Raipur Chhattisgarh.
3. Chhattisgarh Gramin Bank Regional Office Hatakchora P.B. No.67 Jagdalpur Chhattisgarh

**---- Respondents**


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| For Petitioner      | : | Shri Vishnu Koshta, Advocate. |
| For Respondent No.1 | : | Ms. Poonima Singh, Advocate.  |
| For Respondent No.3 | : | Shri Akash Pandey, Advocate.  |

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**Hon'ble Shri Navin Sinha, Chief Justice****Order on Board****25/02/2016**

1. Heard Learned Counsel for the Petitioner and the Respondents.
2. The Petitioner was dismissed pursuant to a departmental proceedings as far back as 28.10.1985. His attempt to have reference made under Section 10 of the Industrial Disputes Act was unsuccessful. He then preferred Writ Petition No.4614 of 2000 and withdrew it on 14.11.2005 to pursue matters in a reference again. Reference has been declined by order dated 10.5.2010 on the ground that the request was belated after a lapse of 20 years.

3. Learned Counsel for the Petitioner sought to persuade the Court that the Petitioner cannot be said to have been negligent or was raising a belated claim. He earlier sought a reference. When it was denied, he came to this Court and with the liberty of the Court filed another request for reference.

4. Having considered the submissions on behalf of the Petitioner, the Court is not persuaded to interfere with the order dated 10.5.2010 primarily for reasons attributable to the Petitioner himself. In service matters, there is always an urgency. If he was terminated on 28.10.1985, quite obviously the Respondents would not have kept the post vacant for the Petitioner to obtain appropriate orders from a competent Court for reinstatement. Naturally, the post must have been filled up. He sought a reference before the Assistant Labour Commissioner. The Respondents objected as far back as 19.5.1986. The Petitioner himself withdrew the reference on 19.4.2000 and then filed a writ petition in the same year, which again was withdrawn by him to go back to reference when the Respondents had already objected for earlier reference. The time wasted because of the vacillating stand being taken by the Petitioner himself, the burden lies at his door alone.

5. The Court finds no reason to interfere with the order dated 10.5.2010. The writ petition is dismissed.

Sd/-  
(Navin Sinha)  
**CHIEF JUSTICE**