

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (L) No. 2280 of 2009**

State of Chhattisgarh, Through: Divisional Forest Officer, Forest Division
Kawardha, District Kabirdham, Chhattisgarh.

---- Petitioner**Versus**

1. Vijay Kumar Yadav S/o Harish Yadav, R/o Mathpara Ward No. 8, Kawardha, District Kabirdham, Chhattisgarh.
2. The Labour Court, Rajnandgaon, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Prafull N Bharat, Additional Advocate General.
For Respondent No. 1	:	Shri H. B.Agrawal, Senior Advocate with Shri Pankaj Agrawal, Advocate.

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

1. Heard Learned Counsel for the Petitioner and the Respondent No. 1.
2. The Petitioner assails order dated 25.4.2008 passed by the Labour Court, Rajnandgaon setting aside the termination of Respondent No. 1 who was a daily wage for non-compliance with the provisions of Section 25F of the Industrial Disputes Act also noticing that he had worked from 1990 till removal on 18.2.2000. In pursuance of the same, Respondent No. 1 has been reinstated in service as far back as the year 2008 itself.
3. The issue stands covered by the decision in Writ Appeal No. 68 of 2014 (Sukhpal Singh v. State of Chhattisgarh & Others) disposed on 14.2.2014 and affirmed by the Supreme Court in Special Leave Petition (Civil) No. 25153 and 25154 of 2015 dated 24.8.2015. Furthermore, no grounds have been urged by the Petitioner with regard to any infirmity in the decision making process by the Tribunal. Reference may appropriately be made in this context to (2014) 11 SCC 85 (Bhuvnesh Kumar Dwivedi v. Hindalco Industries Limited) as follows:

"22. A careful reading of the judgments reveals that the High Court can interfere with an order of the Tribunal only on the procedural level and in cases, where the decision of the lower courts has been arrived at in gross violation of the legal principles. The High Court shall interfere with factual aspect placed before the Labour Courts only when it is convinced that the Labour Court has made patent mistakes in admitting evidence illegally or have made grave errors in law in coming to the conclusion on facts. The High Court granting contrary relief under Articles 226 and 227 of the Constitution amounts to exceeding its jurisdiction conferred up on it. Therefore, we accordingly answer Point (i) in favour of the appellant."

4. There is no merit in the writ petition. It is dismissed.

Sd/-
(Navin Sinha)
CHIEF JUSTICE