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HIGH COURT OF CHHATTISGARH, BILASPUR

WPL No. 11 of 2016

Lafarge India Employees Shramik Sangathan (Intuc) Aarasmeta, Post Gopal Nagar, District Janjgir Champa (Chhattisgarh). Pin Code 495663. Through : Its General Secretary Shri Prem Ram Sahu.

---- Petitioner

Versus

1. Union Of India Through : Secretary, Ministry Of Labour & Employment Government Of India, Shram Shakti Bhawan, New Delhi.
2. Under Secretary, Ministry Of Labour & Employment, Government Of India, Shram Shakti Bhawan, New Delhi.
3. The Factory Manager/ President (Works), Lafarge India Private Limited, Aarasmeta Cement Plant, Post Gopal Nagar, District Janjgir Champa (Chhattisgarh). Pin Code 495663.

---- Respondents

For Petitioner	:	Shri K. Rohan, Advocate
For respondents No. 1 & 2	:	Shri N.K. Vyas, Assistant Solicitor General
For respondent No.3	:	Shri Bhaskar Payashi, Advocate

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

15/07/2016

1. Learned counsel appearing for respondents No. 1 & 2 submits that he may be granted some more time to file reply.
2. On the last date of hearing, this Court had observed that if no reply is filed, appropriate order may be passed.
3. The contention of the petitioner is that reference order is completely different from the nature of dispute raised by the petitioner-Union with the management. Learned counsel for the petitioner submits that the petitioner-Union has not raised any claim demanding rise in wage @ 40 % w.e.f. 1.4.2014. Therefore,

there was no occasion to refer such an issue for adjudication to the Labour Court.

4. The petitioner-Union may submit this categoric statement to respondent No.1 within a period of 4 weeks in continuation of earlier representation made to respondent No.1. Thereafter, respondent No.1 shall duly apply its mind to the actual nature of dispute raised by the petitioner-Union and shall take a decision in the matter and if necessary, recall its order dated 4.6.2015, and refer the actual dispute for adjudication to the Labour Court. If necessary, respondent No.1 may call for fresh conciliation report from the Conciliation Officer. The entire exercise should be completed within a period of 3 months from the date of receipt of copy of this order.
5. The petition is accordingly finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge