

HIGH COURT OF CHHATTISGARH, BILASPUR

WPL No.97 of 2016

- D.P.Saraf S/o Late Shri K.A. Saraf, Aged About 58 Years Mukhya Bhandarpaal Rajgaamaar, R/o Quarter No. - E 22, 15 Block S.E.C.L. Colony Korba, Tahsil & District Korba (Chhattisgarh)

---- Petitioner

Versus

1. Union Of India Through - Secretary, Shram Mantralay, Shram Shakti Bhawan, Rafi Marg, New Delhi,.
2. Chetriya Regional Labour (Kendriya) Commissioner Torwa Naka, Bilaspur, District Bilaspur (Chhattisgarh)

---- Respondents

Petitioner in person.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

15/09/2016

Heard.

2. By this petition, the petitioner has prayed for issuance of direction to the respondent No.1 to refer the dispute raised by the petitioner to the Industrial Tribunal for adjudication invoking its jurisdiction under Section 10 of the Industrial Disputes Act, 1947.

3. The petitioner in person submits that the petitioner raised a dispute that the petitioner is entitled to fixation of proper wages and also revision/modification of other terms and conditions of services. It is also averred that on application submitted in Form-A referable to Rule 3 of the Industrial Dispute (Central) Rules, 1957, the respondent No.2 has already forwarded the matter for reference being made by the respondent No.1. However, till date, no orders have been passed by the respondent No.1 referring the dispute to the Tribunal for adjudication.

4. As the grievance of the petitioner is with regard to non-consideration of his case

for making reference under Section 10 of the Industrial Disputes Act, 1947 to the Tribunal for adjudication, I am not inclined to keep the matter pending.

5. Respondent No.1 is directed to examine the case of the petitioner in exercise of power under Section 10 of the Industrial Disputes Act, 1947 and thereafter, it may decide the matter in accordance with law and pass appropriate orders within a period of 90 days from the date of receipt of a copy of this order.

6. With the aforesaid observation, this petition is finally disposed off. It is made clear that this Court has not commented upon the merits of the case. It will be open for the respondent to take decision in accordance with law.

Sd/-
(Manindra Mohan Shrivastava)
Judge