

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No.2671 of 2008**

NTPC Limited, Through General Manager, Korba Super Thermal Power Station, P.O. Vikas Bhawan, Jaminipali, District Korba (Chhattisgarh)

---- Petitioner

Versus

1. Union of India, Through the Secretary, Ministry of Labour & Employment, New Delhi
2. State of Chhattisgarh, Through the Secretary, Department of Ministry & Labour, Mantralaya, D.K.S. Bhawan, Raipur, Chhattisgarh
3. Employees' State Insurance Corporation, Through the Director General, New Delhi
4. Regional Director, Employees' State Insurance Corporation, Chhattisgarh, Regional Office, 18, South Avenue, Choubey Colony, Raipur, Chhattisgarh
5. Assistant Director, Employees' State Insurance Corporation, Chhattisgarh, Regional Office, 18, South Avenue, Choubey Colony, Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Dr.N.K.Shukla, Senior Advocate with Mr.B.D.Guru, Advocate
For Respondent No.2	:	Mr.Dhiraj Wankhde, G.A.
For Respondents No.3 to 5	:	Mr.Pradeep Saxena, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

08/11/2017

1. Dr.N.K.Shukla, learned Senior Counsel along with Mr.B.D.Guru, learned counsel for the petitioner, would submit that the petitioner is not covered by virtue of the provisions contained in sub-section (4) of Section 1 of the Employees' State Insurance Act, 1948, which has not been considered and impugned order dated 3.4.2008 has been passed.
2. Mr.Pradeep Saxena, learned counsel for respondents No.3 to 5, would submit that the Labour Court has jurisdiction to hear the objection.
3. Be that as it may, the petitioner is at liberty to make an objection

before the competent authority against the said order in accordance with law within a period of 60 days from today and within three months it will be decided by the competent authority in accordance with law.

- 4.** In this case, interim order is operating in favour of the petitioner since 9.5.2008, therefore, it would be expedient to direct that such an interim order will be operative for the above-mentioned period of 60 days.
- 5.** With the aforesaid observation, the writ petition finally stands disposed of. No cost(s).

Sd/-

(Sanjay K. Agrawal)

Judge

B/-