

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (L) No.55 of 2017**

1. State of Chhattisgarh, Through-Secretary, Public Health Engineering Department, Mahanadi Bhawan, Naya Mantralaya, Naya Raipur, P.S Mandir Hasaud Raipur (CG)
2. The Sub Engineer, Public Health Engineering Department, Pendraroad, District-Bilaspur (CG)
3. The Sub Divisional Officer, Public Health Engineering Department, Pendraroad, District Bilaspur (CG)

---- Petitioners

Versus

1. Raju Singh Porte, S/o. Late Shri Ramdayal Porte, Age 45 years, R/o. Village & Post Korja, Police Station Pendraroad, District-Bilaspur (CG)
2. The Appellate Authority, Chhattisgarh State Industrial Court, Raipur, Bench at Bilaspur, District-Bilaspur (CG)

---Respondents

For petitioners	:	Mr.P.K.Bhaduri, G.A.
For Respondent No.1	:	Mr.Vinod Deshmukh, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board**18/04/2017

Heard.

1. By this writ petition under Article 226/227 of the Constitution of India, the petitioners have challenged the order dated 22.6.2016 (Annexure P/2) passed by the Industrial Court in Civil Appeal No.4/CGIR/A-II/2015 by which the Industrial Court has directed the State to deposit arrears of wages from 3.11.1991 to 24.2.1997.

2. Mr.P.K.Bhaduri, learned Government Advocate appearing for the petitioners/State, would submit that order is unsustainable and bad in law.
3. On the other hand, Mr.Vinod Deshmukh, learned counsel appearing for respondent No.1, would submit that respondent No.1 is entitled for back wages as the award has been passed by the Labour Court, Bilaspur on 24.2.1997 in Case No.243/M.P.I.R./91 directing reinstatement with back wages and that order has been affirmed by the Industrial Court by order dated 7.4.2004 and the writ petition being WP No.3499 of 2005 filed by the State was dismissed on 12.6.2013 and in execution on 11.5.2015 payment of wages has been directed to be paid. The Industrial Court has not entertained the appeal, which has been challenged by the State in the present writ petition.
4. I have heard learned counsel appearing for the parties and perused the order impugned and other documents appended with the writ petition.
5. It is apparent that pursuant to the order of the Labour Court, back wages has been granted which has been affirmed by the Industrial Court as well as this Court in 227 proceedings and as such, the State is liable to make the payment of wages from 3.11.1991 to 24.2.1997.
6. I do not find any jurisdictional error in the impugned order warranting any interference by this Court. The writ petition being devoid of merit is liable to be and is hereby dismissed. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-