

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 107 of 2017**

Kartik Ram S/o Ganpat Lal, Aged About 50 Years R/o Nehru Chowk, Camp-1, Near Sinha Cycle Store, Bhilai, District Durg (Chhattisgarh).

---- Appellant

Versus

1. President Teacher Association B S P Higher Secondary School Camp 1, Bhilai, District Durg (Chhattisgarh).
2. Secretary-Cum-Principal Parent Teachers Association, B S P Higher Secondary School, Camp 1, Bhilai, District Durg, Chhattisgarh
3. Managing Director S A I L, B S P Bhilai (Now Chief Executive Officer) District Durg, Chhattisgarh
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh, Raipur, Chhattisgarh
5. Presiding Officer, Labour Court, Durg, Chhattisgarh

---- Respondents

Writ Appeal No. 108 Of 2017

Nona Bai W/o Budhram, Aged About 55 Years R/o Sanjay Nagar, Kumharpara, Supela Bhilai, District Durg (Chhattisgarh).

---- Appellant

Vs

1. President Teacher Association B S P Higher Secondary School No. 1, Sector 6, Bhilai, District Durg (Chhattisgarh).
2. Secretary-Cum-Principal Parent Teachers Association, B S P Higher Secondary School No.1, Sector 6, Bhilai, District Durg, Chhattisgarh
3. Managing Director S A I L, B S P Bhilai (Now Chief Executive Officer) District Durg, Chhattisgarh
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh, Raipur, Chhattisgarh
5. Presiding Officer, Labour Court, Durg, Chhattisgarh

---- Respondents

Writ Appeal No. 109 Of 2017

N. Kondaiya S/o N. Polaiyya Aged About 42 Years R/o Block No. 2/f, Cross Street No. 11, Sector 6 Bhilai, District- Durg, Chhattisgarh

---- Appellant

Vs

1. President Parent Teacher Association Bsp Middle School No. 24, Sector-7, Bhilai, District Durg, Chhattisgarh
2. Secretary-Cum- Headmaster Parent Teachers Association, Bsp Middle School No. 24, Sector-7, Bhilai, District Durg, Chhattisgarh
3. Managing Director Sail, Bsp Bhilai (Now Chief Executive Officer) District- Durg, Chhattisgarh
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh, Raipur, Chhattisgarh
5. Presiding Officer, Labour Court, Durg, Chhattisgarh

---- Respondents

WA No. 110 Of 2017

Ram Ajjaiyya S/o Shri Chinaiyya, Aged About 40 Years R/o Block No. 1/ A, Street No. 60, Sector-6, Bhilai, District Durg (Chhattisgarh).

---- Appellant

Vs

1. President Parent Teacher Association B S P Senior Secondary School, Sector 4, Bhilai, District Durg (Chhattisgarh).
2. Secretary-Cum-Principal Parent Teachers Association, B S P Senior Secondary School, Sector 4, Bhilai, District Durg, Chhattisgarh
3. Managing Director S A I L, B S P Bhilai (Now Chief Executive Officer) District Durg, Chhattisgarh
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh, Raipur, Chhattisgarh
5. Presiding Officer, Labour Court, Durg, Chhattisgarh

---- Respondents

Writ Appeal No. 111 Of 2017

B. Polamma W/o B. Ramallu Aged About 42 Years R/o Block No. 1c, 1-F, Labour Camp Bhilai, Tahsil And District- Durg, Chhattisgarh

---- Appellant

Vs

1. President Parent Teacher Association Bsp Senior Secondary School, Sector 10, Bhilai, District- Durg, Chhattisgarh
2. Secretary-Cum Principal, Parent Teachers Association, Bsp Senior Secondary School Sector 10, Bhilai, District- Durg, Chhattisgarh
3. Steel Authority Of India Ltd. , Through Managing Director Now Known As Chief Executive Officer, Bhilai Steel Plant, Tahsil And District -Durg, Chhattisgarh
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh, Raipur, Chhattisgarh
5. Presiding Officer, Labour Court, Durg, Chhattisgarh

---- Respondents

Writ Appeal No. 112 Of 2017

Kavita Chourey W/o Rahul Chourey, Aged About 44 Years R/o Buddha Vihar, Sector - 46, Street No. 1, Bhilai, District Durg (Chhattisgarh).

---- Appellant

Vs

1. President Parent Teacher Association B S P Senior Secondary School No. 2, Sector 46, Bhilai, District Durg (Chhattisgarh).
2. Secretary-Cum-Principal Parent Teachers Association, B S P Senior Secondary School No.2, Bhilai, District Durg, Chhattisgarh
3. Managing Director S A I L, B S P Bhilai (Now Chief Executive Officer) District Durg, Chhattisgarh
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh, Raipur, Chhattisgarh
5. Presiding Officer, Labour Court, Durg, Chhattisgarh

---- Respondents

Writ Appeal No. 113 Of 2017

P. Chintami W/o Akaiya, Aged About 44 Years R/o Block No. 3 F, Street No. 59, Sector- 6, Bhilai, District Durg (Chhattisgarh).

---- Appellant

Vs

1. President Parent Teacher Association B S P English Medium Middle School, Sector- 7, Bhilai, District Durg (Chhattisgarh).
2. Secretary-Cum-Headmaster Parent Teachers Association, B S P English Medium Middle School, Sector 7, Bhilai, District Durg, Chhattisgarh
3. Managing Director S A I L, B S P Bhilai (Now Chief Executive Officer) District Durg, Chhattisgarh
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh, Raipur, Chhattisgarh
5. Presiding Officer, Labour Court, Durg, Chhattisgarh.

---- Respondents

For Appellants	:	Shri HB Agrawal, Sr. Advocate along with Ms. Itu Rani Mukharjee, Advocate.
For respondents No.1to 3	:	Dr. NK Shukla, Sr. Advocate along with Shri Shailendra Shukla, Advocate.
For respondent/State	:	Shri Ashish Surana, Panel Lawyer.

Hon'ble The Chief Justice
Hon'ble Shri Justice P. Sam Koshy

Order On Board

Per, Thottathil B. Radhakrishnan,CJ.

28/03/2017

1. Heard learned counsel for the Appellants and the learned counsel for the official Respondents.
2. This bunch of writ appeals have been filed apparently on the apprehension that the proceedings for back wages may be affected by the fact that the writ petitions from which these writ appeals arise were instituted by the President of the Teacher's Association of the School.
3. The question of reinstatement has become final even in writ appellate jurisdiction. We are not inclined to preconceive that any judicial authority or statutory authority will be persuaded by any extraneous and irrelevant matters to decide as to whether a person moving for back wages is entitled to any such relief or not. If we do this at this juncture, the same would be prejudging the issue merely on the basis of surmises and

conjectures. We cannot be persuaded to do so.

4. For the aforesaid reasons the writ appeals are dismissed clarifying that the Appellants will be entitled to take recourse to the appropriate statutory forum for any relief that they are entitled to in accordance with law. It goes without saying that any issue which has become final would stand concluded and shall not be re-agitated.

Sd/-

(Thottathil B. Radhakrishnan)
Chief Justice

Sd/-

(P. Sam Koshy)
Judge

inder