

HIGH COURT OF CHHATTISGARH, BILASPUR**WP No.3290 of 2004**

Raj Bahadur Singh, aged about 54 years, son of Late
Indrabhooshan Singh, Resident of Purani Basti, Akaltara, Distt.
Janjgir-Champa (CG)

---- Petitioner

Versus

1. The Cement Corporation of India Limited, Akaltara Cement
Factory, through : Chief General Manager, Cement
Corporation of India (C.C.I.), Akaltara, Cement Factory,
Akaltara, Distt. Janjgir-Champa (CG)
2. The Industrial Court, Raipur, through its Presiding Officer,
Raipur

---- Respondents

For Petitioner	:	Mr.Tarun Dadsena, Advocate
For Respondent No.1	:	Mr.Vinod Deshmukh, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

12/10/2017

1. Learned counsel for the petitioner would submit that the
Labour Court has passed the order and reinstated the
petitioner with full back-wages, which has been modified by
the Industrial Court to the extent of 50% back-wages, which is
unsustainable and bad in law.
2. On the other hand, learned counsel for respondent No.1 would
support the impugned order.
3. The Industrial Court has limited the back-wages to the extent
of 50% finding that there is no evidence on record to hold that
the petitioner was not gainfully employed during the
termination as no enquiry in this regard was made by the
Labour Court. I do not find any jurisdictional error in the

2

impugned order warranting interference by this Court.

- 4.** Learned counsel for the petitioner would submit that amount of 50% back-wages has not been deposited by the respondent Company.
- 5.** Learned counsel for respondent No.1 would submit that amount of 50% back-wages has already been deposited by the respondent Company.
- 6.** It is made clear that if the amount of 50% back-wages has not been deposited, it is for the petitioner to take appropriate steps.
- 7.** With the aforesaid observation, the writ petition finally stands disposed of. No cost(s).

Sd/-

(Sanjay K. Agrawal)

Judge

B/-