

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (L) No. 4539 of 2007**

- State Of Chhattisgarh Through Executive Engineer, Department Of Water Resources, Tahsil - Chhuikhadan, District - Rajnandgaon (C.G.)

---- Petitioner**Versus**

- Krishna Kumar S/o Shri Kartik, R/o Village - Aandi, Tahsil - Dongargarh, District - Rajnandgaon (C.G.)

--- Respondent

For Petitioner	:	Mr. Y.S. Thakur, Additional Advocate General
For Respondent	:	Mr. H.S. Ahluwalia, Advocate

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice**Hon'ble Shri Justice Sharad Kumar Gupta****Judgment on Board****Per Thottathil B. Radhakrishnan, Chief Justice****27.06.2017**

1. This is an application filed by the State challenging the decision of the Industrial Court ordering reinstatement with 15 % back wages.
2. Having considered the contents of the impugned order, we see that it cannot be treated as vitiated on any ground which would call for interference under Article 227 of the Constitution of India, particularly when the action taken by the Labour Court cannot be impeached as lacking in jurisdiction. The appreciation of the facts and materials as has been done by the Labour Court cannot be treated as perverse or arbitrary, calling for interference at the instance of the State Government employer as against the workmen.
3. The aforesaid apart, it is submitted that the Respondent Krishna Kumar has got readmitted to duties by reinstatement following the impugned award and he ultimately retired on superannuation. Hence, no useful

purpose would be served in further entertaining this Writ Petition.

4. For the aforesaid reasons this Writ Petition is dismissed.

**Sd/-
(Thottathil B. Radhakrishnan)
Chief Justice**

**Sd/-
(Sharad Kumar Gupta)
Judge**

Kishore