

HIGH COURT OF CHHATTISGARH, BILASPUR

WPL No. 5743 of 2007

State Of Chhattisgarh Through : Executive Engineer, Department of Public Works, (Building and Road) Government of Chhattisgarh, Kawardha, District – Kawardha (CG)

---- Petitioner

Versus

1. Rastriya Lok Nirman Mazdoor Sangh, Shram Shivir, Baldeobag, Rajnandgaon (CG) Through its President
3. The Labour Court, Rajanandgaon Through The Presiding Officer, District - Rajnandgoan (C.G.)

---- Respondents

For Petitioner / State	:	Shri Satish Gupta, Govt. Advocate
For Respondent No.1	:	Shri Tanuj Patwardhan, Advocate under instructions from Shri Pradeep Saxena, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

04/07/2017

The present writ petition has been filed by the petitioner assailing correctness and validity of order dated 28/02/2007 whereby learned Labour Court, Rajnandgaon in Case No.02 / ID Act / 2003 (Ref.) issued a reference in favour of respondent / employee – Ishwar Lal Dhurve directing the State Government to regularise the services of the said employee.

2. Learned State Counsel, at the outset, makes a fresh submission that ignoring the pendency of the writ petition before this Court, the State Government, vide order dated 24/01/09, has regularised the services of the said employee involved in the dispute namely Ishwar Lal Dhurve as a Caretaker in District – Kawardha. He submits that in view of the fact that the State Government has already taken a decision in favour of Ishwar Lal Dhurve, nothing survives for adjudication in this petition and the State Government would not like to contest this petition on its merits.

3. In view of the submission made by the State counsel and also taking note of the fact that the State Government on its own, ignoring the pendency of the writ petition and order dated 01/10/2007 passed therein maintaining *status quo*, has regularised the service of the respondent / employee, present writ petition stands dismissed without entering into the merits of the case, only in the given peculiar facts of the case.

Sd/-
(P. Sam Koshy)
Judge