

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6328 of 2017**

Shyamlal Verma S/o Late Shri Parsuram Verma, Aged About 47 Years R/o Village Rawan Surrounding Area Ambuja Cement Ltd. Tahsil Baloda Bazar, In The Revenue And Civil District Baloda Bazar/ Bhatapara, (Chhattisgarh)

---- **Petitioner**

Versus

1. The State Of Chhattisgarh Through The Secretary, Department Of Industries, Sachivalaya, Mantralaya, Mahanadi Bhawan, Naya Raipur, (Chhattisgarh)
2. Ambuja Cement Ltd. (A Purchaser From The Then Owner Modi Cement Limited Registered Office And Works Modigam (Rawan) Tahsil Baloda Bazar, District Raipur (Now District Baloda Bazar/ Bhatapara, (Chhattisgarh) Through The Director Cement Factory Situate At Rawan Tahsil Baloda Bazar, Revenue And Civil District Baloda Bazar/ Bhatapara, (Chhattisgarh)
3. The General Manager, Ambuja Cement Ltd. Cement Factory Situate At Rawan Tahsil Baloda Bazar, Revenue And Civil District Baloda Bazar/ Bhatapara, (Chhattisgarh)
4. The Collector, Baloda Bazar, Revenue And Civil District Baloda Bazar/ Bhatapara (Chhattisgarh)
5. The Assistant/ Deputy Manager, Works Management, Administration Ambuja Cement Ltd. Situate At Rawan, Tahsil Baloda Bazar, Revenue And Civil District Baloda Bazar/ Bhatapara, (Chhattisgarh) ---- **Respondents**

For Petitioner : Mr. J.R. Verma, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

28.11.2017

Heard on admission.

1. This petition has been filed by the petitioner seeking direction to respondents to provide employment and financial benefit.
2. Learned counsel for the petitioner would submit that the land belonging to

the petitioner's father was acquired way back in the year 1983 by the then, State of Madhya Pradesh for development of industrial area and later on, a cement factory was established. It is submitted that the petitioner was granted an employment in the year 1986 under the Rehabilitation Policy, but later on, the petitioner met with an accident in the year 1987 and suffered disability. His services were discontinued. Since 1987, neither any work is being taken nor payments have been made by the said employer (Modi Cement now its successor Ambuja Cement). Learned counsel for the petitioner would submit that the petitioner is a disabled person. Therefore, the State authority should come to his aid to ensure that either he is reinstated with all back wages in the industrial establishment of respondent Ambuja Cement or he is provided any employment or financial benefit by the State itself.

3. From the pleadings, it appears that the petitioner was granted employment as workman with the industrial establishment known as Modi Cement Ltd. which appears to have been subsequently taken over by Ambuja Cement Ltd. Further, from the pleadings and representation, it is borne out that his services were discontinued in the year 1987. The petitioner does not seem to have taken any remedy by taking a dispute of retrenchment before the Labour Court but kept on making representations to various authorities. The dispute raised by the petitioner, in so far as his discontinuation of work is concerned, is essentially a labour dispute and if the petitioner's case is that he is illegally retrenched from service, he should have been well advised to take proper proceeding for adjudication of dispute before the Labour Court under the provision of the Industrial Disputes Act, 1947.

4. As far as petitioner's claim against the State authorities is concerned, for that purpose, the petitioner may approach the concerned Collector at Balodabazar, who may examine the petitioner's claim for grant of financial benefit and/or employment in any public institution if there is any Government scheme of providing such benefit of employment or financial benefit to disabled person.

5. With the liberty given to the petitioner to raise dispute before the Labour Court and to claim benefits under any State's scheme before the Collector, this petition is disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge