

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (L) No.6245 of 2006**

Bali Deo S/o Alen, Address-C/o O.P. Bajpai, Near Pendra Bada,
Gondpara, Bilaspur (CG)

---- Petitioners

Versus

1. State Industrial Court Through-Its Chairman, Shashtri Chowk, Raipur
2. Presiding Officer, Cum-Labour Court, Raipur
3. Presiding Officer, Cum-Labour Court, Bilaspur
4. Chhattisgarh Infrastructure Development Corp. Through- Managing Director, New Bus Stand Pandri Raipur (CG)
5. Chhattisgarh Infrastructure Development Corp. Through- Divisional Manager (Transport Division) C.I.D.C. Bus Stand Bilaspur (CG)
6. Chhattisgarh Infrastructure Development Corp. Through- Depot Manager Raipur Depot No.1 (Transport Division) C.I.D.C. Raipur (CG)
7. M.P. Transport Corporation Through-Managing Director, Head Office-HabibGanj, Bhopal (M.P.)

---- Respondents

For Petitioner	:	Mr.Vinod Deshmukh, Advocate
For Respondents	:	None present

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

29/06/2017

1. In an application filed by the petitioner under Section 31(3) read with Section 61 of the Madhya Pradesh Industrial Relations Act, 1960, the Labour Court directed reinstatement of the petitioner without back wages. Against that order, the Chhattisgarh Infrastructure Development Corporation (hereinafter called as 'CIDC') preferred an appeal before the Industrial Court. The petitioner also preferred an appeal before the Industrial Court. The Industrial Court dismissed the appeals filed by the CIDC as well as by the petitioner, but

in para 10 it has been held that since misconduct is of serious nature, instead of reinstatement, the workman is entitled for compensation to the extent of ₹ 50,000/-, against which, this writ petition has been filed by the petitioner.

2. Mr.Vinod Deshmukh, learned counsel appearing for the petitioner, would submit that after having been affirmed the order of the Labour Court, the Industrial Court could not have interfered with the order of reinstatement.
3. I find force in the argument of Mr.Deshmukh that after having been affirmed the order of the Labour Court directing reinstatement the Industrial Court out not to have interfered with ultimate relief granted to the petitioner/workman.
4. In view of that, the order passed by the Industrial Court as contained in para 10 converting the relief of reinstatement to the payment of compensation is set aside.
5. The writ petition is allowed to the extent indicated hereinabove. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)

Judge

B/-