

HIGH COURT OF CHHATTISGARH, BILASPUR**WPL No. 3 of 2017**

Surendra Kumar Navarang S/o Shri Motilal Nawrang, Aged About 32 Years
 Posted In Boys Hostel Jareli, Takhatpur, R/o Village Mochh, Tahsil
 Takhatpur & Distt. Bilaspur, Civil And Revenue District Bilaspur
 (Chhattisgarh)

---- Petitioner**Versus**

1. Assistant Commissioner Tribal Development Department Bilaspur, District Bilaspur (Chhattisgarh)
2. Superintendent, Govt. Post Metric Scheduled Caste Boys Hoster, Jareli, Takhatpur, Distt. Bilaspur (Chhattisgarh)
3. Labour Court (Bench), Bilaspur, District Bilaspur (Chhattisgarh)

---- Respondents

For Petitioner	Shri MK Sinha, Advocate.
For Respondent/State	Shri SP Kale, Deputy Advocate General.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****05/01/2017**

1. The present petition under Article 226 of the Constitution of India has been filed seeking for a direction to the respondents for issuance of an order of reinstatement and also for permitting him to put his signatures in the attendance register, which as of now is being denied by the respondents.
2. Without entering into the merits of the case, this court feels that when there is already an award in favour of petitioner vide order dated 11.05.2015 in Case No.03/I.D. Act/Reference/2014, whereby the Labour Court, Bilaspur has granted relief of reinstatement in service with 25 percent back-wages and have also directed the respondents for compliance of order within a period of two months. The said order having not been challenged, the same has now attained its finality, and therefore, no fresh order is required

to be passed by this court in exercise of writ jurisdiction under Article 226 of the Constitution of India. Even otherwise, the power of writ jurisdiction is not to be used for enforcing/execution of the award passed by the Labour Court. The petitioner, in this regard, have a remedy available to him under the provisions of Industrial Disputes Act itself.

3. As an upshot, the writ petition, being bereft of merit, is liable to be and is hereby dismissed at the motion stage itself.
4. Needless to mention that rejection of this petition would not preclude the petitioner from approaching the appropriate authorities for both, the compliance of award passed in his favour and also to initiate prosecution against the officers for non compliance of the order passed by the Labour Court, if not complied with till now.
5. With the aforesaid observations, the writ petition stands dismissed. No order asto costs.

Sd/-
(P.Sam Koshy)
Judge