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HIGH COURT OF CHHATTISGARH, BILASPUR

REVP No. 15 of 2017

- Ram Ajjaiyya S/o Shri Chinaiyya, Aged About 40 Years R/o Block No. 1/ A, Street No.60, Sector-6, Bhilai, District Durg, Chhattisgarh

---- Petitioner

Versus

1. President Parent Teacher Association B S P Senior Secondary School, Sector 4, Bhilai, District Durg, Chhattisgarh
2. Secretary-Cum-Principal Parent Teachers Association, B S P Senior Secondary School, Sector 4, Bhilai, District Durg, Chhattisgarh
3. Managing Director S A I L, B S P Bhilai (Now Chief Executive Officer) District Durg, Chhattisgarh
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh, Raipur, Chhattisgarh
5. Presiding Officer, Labour Court, Durg, Chhattisgarh

---- Respondent

And

REVP No. 16 Of 2017

- Kartik Ram S/o Ganpat Lal, R/o Nehru Chowk, Camp-1, Near Sinha Cycle Store, Bhilai, District Durg, Chhattisgarh

---- Petitioner

Vs

1. President Parent Teacher Association B S P Higher Secondary School, Camp 1, Bhilai, District Durg, Chhattisgarh
2. Secretary-Cum-Principal Parent Teachers Association, B S P Higher Secondary School, Camp 1, Bhilai, District Durg, Chhattisgarh
3. Managing Director S A I L, B S P Bhilai (Now Chief Executive Officer) District Durg, Chhattisgarh
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh, Raipur, Chhattisgarh
5. Presiding Officer, Labour Court, Durg, Chhattisgarh

---- Respondent

And

REVP No. 17 Of 2017

- P. Chintami W/o Akaiya, Aged About 44 Years R/o Block No. 3-F, Street No. 59, Sector-6, Bhilai, Tahsil And District Durg, Chhattisgarh

---- Petitioner

Vs

1. President Parent Teacher Association B S P English Medium Middle School, Sector 7, Bhilai, District Durg, Chhattisgarh
2. Secretary-Cum-Headmaster Parent Teachers Association, B S P English Medium Middle School, Sector 7, Bhilai, District Durg, Chhattisgarh
3. Managing Director S A I L, B S P Bhilai (Now Chief Executive Officer) District Durg, Chhattisgarh
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh, Raipur, Chhattisgarh
5. Presiding Officer, Labour Court, Durg, Chhattisgarh

---- Respondent

And

REVP No. 18 Of 2017

- Nona Bai W/o Budhram, Aged About 55 Years R/o Sanjay Nagar, Kumharpara, Supela, Bhilai, District Durg, Chhattisgarh

---- Petitioner

Vs

1. President Teacher Association B S P Higher Secondary School No.1, Sector 6, Bhilai, District Durg, Chhattisgarh
2. Secretary-Cum-Principal Parent Teachers Association, B S P Higher Secondary School No.1, Sector 6, Bhilai, District Durg, Chhattisgarh
3. Managing Director S A I L, B S P Bhilai (Now Chief Executive Officer) District Durg, Chhattisgarh
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh, Raipur, Chhattisgarh
5. Presiding Officer, Labour Court, Durg, Chhattisgarh

---- Respondent

And

REVP No. 19 Of 2017

- N.Kondaiya S/o N.Polaiyya, Aged About 42 Years R/o Block No. 2/ F, Cross Street No.11, Sector-6, Bhilai, District Durg, Chhattisgarh

---- Petitioner

Vs

1. President Parent Teacher Association B S P Middle School No.24, Sector 7, Bhilai, District Durg, Chhattisgarh
2. Secretary-Cum-Headmaster Parent Teachers Association, B S P Middle School No.24, Sector 7, Bhilai, District Durg, Chhattisgarh
3. Managing Director S A I L, B S P Bhilai (Now Chief Executive Officer) District Durg, Chhattisgarh
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh, Raipur, Chhattisgarh
5. Presiding Officer, Labour Court, Durg, Chhattisgarh

---- Respondent

And

REVP No. 20 Of 2017

- Kavita Chourey W/o Rahul Chourey, Aged About 44 Years R/o Buddha Vihar, Sector-46, Street No.1, Bhilai, District Durg, Chhattisgarh

---- Petitioner

Vs

1. President Parent Teacher Association B S P Senior Secondary School No.2, Sector 46, Bhilai, District Durg, Chhattisgarh
2. Secretary-Cum-Principal Parent Teachers Association, B S P Senior Secondary School No.2, Bhilai, District Durg, Chhattisgarh
3. Managing Director S A I L, B S P Bhilai (Now Chief Executive Officer) District Durg, Chhattisgarh
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh, Raipur, Chhattisgarh
5. Presiding Officer, Labour Court, Durg, Chhattisgarh

---- Respondent

And

REVP No. 21 Of 2017

- B. Polamma W/o B.Ramallu, Aged About 42 Years R/o Block No.1 C, 1-F, Labour Camp Bhilai, Tahsil And District Durg, Chhattisgarh

---- Petitioner

Vs

1. President Parent Teacher Association B S P Senior Secondary School, Sector 10, Bhilai, District Durg, Chhattisgarh
2. Secretary-Cum-Principal Parent Teachers Association, B S P Senior Secondary School Sector 10, Bhilai, District Durg, Chhattisgarh
3. Steel Authority Of India Ltd. Through Managing Director Now Known As Chief Executive Officer, Bhilai Steel Plant, Tahsil And District Durg, Chhattisgarh
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh, Raipur, Chhattisgarh
5. Presiding Officer, Labour Court, Durg, Chhattisgarh

---- Respondent

And

REVP No. 22 Of 2017

- Ahilya Bai W/o Teluchand, Aged About 40 Years R/o Block No.L, C-1, F, Labour Camp, Bhilai District Durg, Chhattisgarh

---- Petitioner

Vs

1. President Parent Teacher Association B S P High School, Sector 8, Bhilai, District Durg, Chhattisgarh
2. Secretary-Cum-Principal Parent Teachers Association, B S P High School, Sector 8, Bhilai, District Durg, Chhattisgarh
3. Managing Director S A I L, B S P Bhilai (Now Chief Executive Officer) District Durg, Chhattisgarh
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh, Raipur, Chhattisgarh
5. Presiding Officer, Labour Court, Durg, Chhattisgarh

---- Respondent

For Petitioners	:	Shri HB Agrawal, Sr. Adv. with Ms. Preeti Yadav, Advocate
For Respondents-State	:	Shri Shashank Thakur, GA for the State
For other Respondents	:	Dr. NK Shukla, Sr. Adv. with Shri Shailendra Shukla, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

10/02/2017

1. Shri HB Agrawal, learned senior counsel would submit that the parent teacher association was not a party before the labour Court and the parties who were joined before the labour Court were not made party in the writ petition, therefore, there is error apparent on the face of the record.
2. The cause-title of the writ petition would demonstrate that the Secretary-Cum-Principal parent teacher association, B S P Higher Secondary School No.1, Sector 6, Bhilai was one of the petitioner in all the writ petitions. The writ petitions were allowed in part directing that the award shall not bind the management of the SAIL/BSP but it will remain operative against the other petitioners, meaning thereby that it will bind the President, Parent Teacher Association and Secretary-Cum-Principal, Parent Teacher Association, who were the other petitioners.
3. When the present petitioners preferred writ appeal before the Division Bench, it was brought to the notice of the Division Bench that the Principal has already filed an affidavit on 07.10.2014 to the effect that each of the applicants/workmen were directed by the respective principals to resume duties in view of the order of reinstatement by the Tribunal, but none of them have joined so far. The Division Bench thereafter disposed of the writ

appeals in terms of the affidavit dated 07.10.2014 filed by the principals of the respective schools in question.

4. After hearing learned counsel for the parties at length, I do not find any error apparent on the face of the record in the impugned order. Even otherwise, writ appeals were preferred and they have been disposed of after hearing the parties. A review petition would not lie on the principle and analogy of Section 114 of CPC read with Order 47 Rule 1 CPC, providing that once an order under review has been appealed against, review petition would not lie.
5. Accordingly, all the review petitions are dismissed, being without any substance.

Sd/-

Judge

Prashant Kumar Mishra

Ashu