

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition (L) No.731 of 2008

Municipal Corporation, Through Commissioner, Municipal Corporation,
Bilaspur (C.G.)

---- Petitioner

Versus

1. Presiding Officer under Industrial Dispute Act, Labour Court, Bilaspur (C.G.)
2. Bal Krishna Yadav, S/o Jayram Yadav (Ex-Pump Operator, Municipal Corp. BSP), Patel Mohalla, Torwa, Bilaspur (C.G.)

(First Party)

---- Respondents

For Petitioner:	Mr. S.P. Kale and Mr. K.P.S. Gandhi, Advocates.
For Respondent No.2:	Mr. Vinod Deshmukh, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

13/08/2018

1. Heard.
2. Learned counsel for the petitioner submits that ex parte award has been passed against the petitioner without giving opportunity of hearing, therefore, the petitioner may be allowed to make an application for setting aside the ex parte award in view of the decision of the Supreme Court in the matter of M/s. Haryana Suraj Malting Ltd. v. Phool Chand¹.
3. Be that as it may, the petitioner is at liberty to make an application for setting aside the ex parte award. If application is filed within fifteen days from today, the said application will be considered and decided on its own merit strictly in accordance with law, within a period of three months from the date of receipt of the said application.

¹ AIR 2018 SC 2670

4. With the aforesaid observation, the writ petition stands finally disposed of. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge

Soma