

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition No. 1382 of 2005**

South Eastern Coalfields Ltd., Seepat Road, Bilaspur, Through:
Director (Personnel)

---- Petitioners**Versus**

MP Koyla Mazdoor Sabha (HMS), Opp. MP Hospital, Wright
Town, Jabalpur, Through: Shri Nathulal Pandey, General
Secretary.

---- Respondents

For Petitioner : Mr. A.K. Shrivastava & Shri Vinod Deshmukh,
Advocate.

For Respondent : Ms. Sharmila Singhai, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****16/01/2018**

(1) An award passed by the Arbitrator under the provisions of Industrial Disputes Act, 1947 (henceforth 'Act, 1947') dated 25.08.1994 was published on 12.1.2005, against which instant writ petition has been filed questioning the same.

(2) Learned counsel for the petitioner would submit that the impugned order is bad and unsustainable in law as the award was passed on 25.08.1994 whereas it has been published on 12.1.2005.

(3) Per contra, counsel for the respondent would submit that the same award was challenged by the Contractor in Writ Petition No.2384/1995 as well as by South Eastern Coalfields Limited in Writ Petition No. 2626/1996, that has been dismissed on 6.12.2004, against

which petitioner-SECL & contractor had filed Writ Appeals Nos. 277/2008, 84/2009 & 278/2008, respectively, that has also been dismissed by this Court by order dated 21.08.2014, against which the matter is pending consideration before the Supreme Court of India.

(4) I have heard learned counsel appearing for the parties.

(5) After hearing learned counsel appearing for the parties, this Court is of the opinion that issue raised in this petition is covered by order dated 6.12.2004 passed in Writ Petition No.2384/1995 and Writ Petition No. 2626/1996; and order dated 21.08.2014 passed in Writ Appeals Nos. 277/2008, 84/2009 & 278/2008 dismissing the appeal between the parties, therefore, the instant writ petition is also liable to be and is hereby dismissed in light of above-mentioned orders passed in writ petitions and writ appeals.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

