

HIGH COURT OF CHHATTISGARH AT BILASPURWPL No.2766 of 2007

1. State of Chhattisgarh, Through Superintending Engineer, Department of Water Resources, Chui Khadan, District Rajnandgaon (C.G.).
2. Executive Engineer, Water Resources Division, Chuikhadan, District Rajnandgaon (C.G.).
3. Sub Divisional Officer, Piparia Head, Work Sub Division, Water Resources Department, Chuikhadan, District Rajnandgaon (C.G.).

---Petitioners

Versus

Laxminath S/o Gangaram Yadav, aged about 35 years, Labour, R/o village Chuikhadan, Post & Police Station Chuikhadan, Tahsil Chuikhadan, District Rajnandgaon (C.G.).

---Respondent

For State	:	Shri S.P.Kale, Dy.Advocate General.
For respondent	:	Shri Anup Majumdar, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

18/01/2018

1. Present petition has been filed by the State Government assailing the award dated 19/12/2006 passed by the learned Labour Court, Rajnandgaon (C.G.) in Case No. 02/I.D.Act/2006 (Ref).
2. Vide the said impugned award, the Tribunal has passed an award in favour of the worker granting reinstatement without backwages.
3. Perusal of record would show that, subsequent to the petition being filed, the State Government reinstated the respondent in service and he continued to work with the department till 01/04/2015 and since then he has

voluntarily stopped coming to work and remains absent and finally the services of respondent No.1 was again discontinued by the State Government with effect from 25/07/2016.

4. Considering the fact that, there was an order of reinstatement passed by the Labour Court and the order was complied by reinstating the respondent, this Court is of the opinion that, the order passed by the Labour Court stood complied in its letter and spirit though it was compliance under Section 17-B.

5. However, subsequently, since he had been removed from service this Court is of the opinion that, no fruitful purpose would be served in going into the merits of the case at this juncture as in any case, he stands dismissed from service with effect from 25/07/2016.

6. Thus, the present Writ Petition in its present form stands disposed off as having become infructuous.

7. It is made clear that, the respondent would not be entitled to claim any benefits from the award passed by the Labour Court. In the event if, the respondent tries to take an advantage of the order under challenge in the present Writ Petition, the State Government would have the liberty to move an appropriate application getting the present Writ Petition revived.

Sd/-
(P. Sam Koshy)
JUDGE