

HIGH COURT of CHHATTISGARH, BILASPUR**Writ Petition (L) No.15 of 2018**

Ramkrishna Das S/o Oamkar Das Aged About 39 Years R/o Nal Ghar,
Mohara, Ward No. 41, Tahsil and District Rajnandgaon, Chhattisgarh.

----**Petitioner**

Versus

Municipal Corporation Rajnandgaon Through Its Commissioner, Municipal
Corporation, Rajnandgaon, District Rajnandgaon, Chhattisgarh.

---- **Respondent**

Writ Petition (L) No.17 of 2018

Nammu S/o Sukhdev S/o Sukhdev Aged About 44 Years R/o Ward No. 44,
Singdai, Post- Mohara District Rajnandgaon Chhattisgarh.

----**Petitioner**

Versus

Municipal Corporation Rajnandgaon Through Its Commissioner, Municipal
Corporation, Rajnandgaon, District Rajnandgaon, Chhattisgarh.

---- **Respondent**

Writ Petition (L) No.19 of 2018

Narendra S/o S/o Nammuram Aged About 38 Years R/o Ward No. 44,
Singdai, Post- Mohara, District- Rajnandgaon, Chhattisgarh.

----**Petitioner**

Versus

Municipal Corporation Rajnandgaon Through Its Commissioner, Municipal
Corporation, Rajnandgaon, District Rajnandgaon, Chhattisgarh.

---- **Respondent**

For Petitioners	:	Shri Somkant Verma, Advocate.
For Respondent	:	Shri Sourabh Sharma, Advocate.

SB: Hon'ble Shri Justice P. Sam Koshy

Order on Board

25.01.2018

1. These are three writ petitions assailing the separate award passed on 03.01.2017 by the Labour Court, Rajnandgaon, in Civil Case Nos.37/ID Act/2014/Ref.,35/ID Act/2014/Ref. and 34/ID Act/2014/Ref. respectively.
2. Vide the impugned awards, the Labour Court has rejected the claim

applications of the petitioners on the ground of limitation.

3. Learned counsel for the petitioners though tries to argue on the merits of the case, but so far as limitation part is concerned, he could not satisfy the court as to on what ground the findings of the Labour court on the issue of limitation was either erroneous or contrary to evidence. Neither is it the pleading of the petitioners or the contention that the findings of the Labour Court is perverse. Moreover, when the dates are admitted as has been reflected from the award of the Labour Court, it apparently appears that the claim application was filed before the Labour Court beyond the prescribed period of limitation of filing the case before the Labour Court in case of termination of service.
4. This court also finds that the findings of the Labour Court is fortified from the judgment passed by this court in respect of same respondent-institution and where also the issue involved in the case was that of the limitation under the amended provisions of the Industrial Disputes Act, 1947.
5. Given the aforesaid factual matrix of the case this court does not find any strong case made out for interference with the impugned awards.
6. Thus, all the writ petitions deserve to be and are accordingly rejected.
7. It is made clear that in the event if the petitioners services have been again taken back by the respondent, passing of the impugned award should not come in the way of their employment.

Sd/-
(P.Sam Koshy)
Judge