

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (L) No. 5742 of 2007**

State of Chhattisgarh, through Executive Engineer, Department of Public Works, (Building & Road) Government of Chhattisgarh, Kawardha, District – Kawardha (CG)

---- Petitioner**Versus**

1. Rastriya Lok Nirman Mazdoor Sangh, Shram Shivir, Baldeobag, Rajnandgaon (Chhattisgarh) through its President
2. The Labour Court, Rajnandgaon, through the Presiding Officer, District Rajnandgaon (CG)

---- Respondents

For State/Petitioner : Shri S. P. Kale, Dy. Advocate General

Hon'ble Shri Justice P. Sam Koshy**Order On Board****08/01/2018**

The present petition has been filed assailing the award dated 27.02.2007 passed by the Labour Court, Rajnandgaon in Case No. 48/I.D. Act/2004 (Ref.). Vide the said impugned award the Labour Court has issued a direction answering the reference in favour of the worker Saheb Das and has ordered for regularization of the said worker in the office of Public Works Department (Building and Road).

2. The learned Dy. Advocate General, on seeking instruction from the Department submits that pursuant to a circular issued by the State Government on 05.03.2008 in respect of regularization of daily wage workers, the worker involved in the present dispute Saheb Das was regularized on

25.08.2008 and that subsequently, in due course of time, he had also superannuated from employment on 30.06.2010.

3. In view of the fact that the State Govt. had of its own regularized the services of the worker involved in the case without being in any manner influenced by the award of the Labour Court, the present petition as such has become infructuous.

4. The Writ petition thus stands dismissed as having become infructuous.

5. It is made clear that even if any claim is survived in favour of respondent no.1, the same shall be effective only w.e.f. 25.08.2008 and not from any other date. This observation of the Court is only in respect of the issue of regularization and this Court has not observed anything so far as the entitlement of the worker for his pensionary rights, if any is concerned.

**Sd/-
(P. Sam Koshy)
JUDGE**