

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO. 4402 OF 2018**

Bisahu Ram S/o Late Ram Lal Aged About 73 Years (Ex Attendant At Hirri Mines With P. No. 831577) R/o D1, Pragati Vihar Bahatarai Road Bilaspur Chhattisgarh.

...Petitioner(s)

Versus

1. The DGM-Cum-Mines Manager Hirri Mines Bhilai Steel Plant Steel Authority Of India, Post Office Hirri Mines District Bilaspur Chhattisgarh.
2. Chairman And Managing Director Steel Authority Of India Bhilai, District Durg Chhattisgarh.

... Respondent(s)

For Petitioner : Shri Shiv Kumar Shrivastava, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

05.07.2018.

1. The claim of the petitioner is that of a direction to the respondents for treating services of the petitioner to be reinstated in service with all backwages and consequential benefits.
2. The counsel for the petitioner submits that there is an order of the Central Industrial Tribunal cum Labour Court, Jabalpur, dated 16.02.2015 (Annexure P/2) whereby the Tribunal has converted the order of removal of service of the petitioner into one compulsory retirement but the date from which the order would be made effective is not mentioned.
3. Perusal of record would reveal that the services of the petitioner with the respondents stood terminated by order of removal from service on 19.10.1996. The petitioner raised industrial dispute under the provisions of the Industrial Disputes Act. The Tribunal passed an award on 16.02.2015 holding that the order of removal from service

is too harsh a punishment and therefore modified the same and converted the order of removal into one of compulsory retirement. The obvious inference which could be is that the order of removal from service on 19.10.1996 has to be presumed to stand modified to punishment of compulsory retirement and it would be the date i.e. 19.10.1996 which would be the date from which he stood compulsory retired.

4. Further perusal of record would show that the petitioner has not challenged the said award dated 16.02.2015 in spite of the same having been served to the petitioner in February, 2015 itself. He now cannot move a fresh petition seeking for an appropriate interpretation or a suitable relief which otherwise has not been granted to him in the award of the Central Govt. Industrial Tribunal dated 16.02.2015.
5. The writ petition thus being devoid of merit deserves to be and is hereby dismissed.

Sd/-
(P. Sam Koshy)
Judge