

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 633 of 2018**

{Arising out of order dated 20.02.2018 passed by learned Single Judge in Writ Petition (L) No. 66 of 2018}

1. State of Chhattisgarh, Through – Secretary, Water Resources Department, Mahanadi Bhawan, Naya Mantralaya, Naya Raipur, P.S. Mandir Hasaud, Raipur, Chhattisgarh.

(Petitioner No.1 was not a party before the learned Labour Court, but has been impleaded as Petitioner No.1 herein as it is necessary to implead the State Govt. through the Secretary of concerned Department)

2. The Executive Engineer, Hasdev Canal Water Management, Division Janjgir, District Janjgir Champa (C.G.)

---- Appellants

Versus

- Ramesh Kumar Soni, S/o Late Shankar Lal Soni, aged about 59 years, Address Village Bamhanidih, Tahsil Champa, Bajar Road, Bus Stand, District Janjgir Champa (C.G.)

---- Respondent

For Appellants/State	:	Shri Anand Dadadriya, Deputy Government Advocate.
For Respondent	:	Shri Luv Sharma, Advocate.

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice**Hon'ble Shri Justice Parth Prateem Sahu****Judgment on Board****Per Ajay Kumar Tripathi, Chief Justice****21.08.2018**

1. Heard the learned Additional Advocate General for the State and counsel for the Respondent/workman.
2. The Labour Court, Janjgir Champa passed an award on 13.05.2014 in Case No.41/I.D.Act/2013 (Ref.) based on the evidence and material as well as the law. The Respondent/workman was ordered to be reinstated in services, but

without backwages. After more than 4 years, the State decided to file a writ application assailing the award of the Labour Court with not even a modicum of an effort to explain the delay besides the usual bureaucratic delay.

3. Identical matter *i.e.* State of Chhattisgarh & Another v. Mahadeva (Writ Appeal No. 607 of 2018) arising from the same order has already been dismissed by this Court vide order dated 03.08.2018 in the following terms.

“3. It is evident that the award has now been implemented and the Respondent/ workman has been reinstated. Therefore, in absence of any major infirmity in law emerging as well as failure on the part of the State to be vigilant and diligent in approaching the writ Court were good enough ground not to interfere in the writ application.

4. After having heard the parties, we do not find any infirmity in the order of learned Single Judge dated 20.02.2018 which needs to be rectified in appeal.

5. The writ appeal has no merit. It is dismissed.”

4. In view of the above, this appeal also stands dismissed.

Sd/-

(Ajay Kumar Tripathi)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge