

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 7959 of 2018

1. Gorakhnath Singh S/o Shri Girjanardhan Singh, Aged About 56 Years.
2. Churamani Saklani S/o Shri Gursai Ram, Aged About 58 Years.
3. Preetam Chand Rana S/o Shri Mast Ram Rana, Aged About 58 Years.
4. Brama Nand Singh S/o Shri Keshar Nath Singh, Aged About 58 Years.
5. Kedar Singh S/o Late Shri Gambhir Singh, Aged About 59 Years.
6. Daya Ram S/o Shri Krishan Singh, Aged About 56 Years.
7. Rajkumar S/o Shri Chunni Lal, Aged About 57 Years.
8. Vijay Bahadur S/o Shri Hari Narayan Singh, Aged About 58 Years.
9. Har Singh S/o Shri Roop Singh, Aged About 58 Years.
10. Pratap Singh S/o Shri Rajendar Singh, Aged About 58 Years.
11. Amritlal Gupta S/o Shri Damdi Lal, Aged About 57 Years

All are Working As A Security Guard, Bharat Aluminium Company Ltd.
Post- B A L C O Nagar, Police Station- B A L C O Nagar, Korba, District
Korba Chhattisgarh.

---Petitioners

Versus

1. State Of Chhattisgarh, Through - Secretary, Mahanadi Bhawan, Naya Raipur, District - Raipur Chhattisgarh.
2. Assistant Labour Commissioner Korba, District - Korba Chhattisgarh.
3. Bharat Aluminium Company Limited, Through - Managing Director, Post Balco, Police Station - Balco Nagar, Korba, District - Korba Chhattisgarh.

---Respondents

For petitioners	:	Shri K.P.S.Gandhi, Advocate.
For resp.No.3	:	Shri S.S.Rajput, Advocate.
For State	:	Shri Chandresh Shrivastava, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

05/12/2018

1. Counsel for the petitioners, at the outset, confines his argument to the relief for a direction to respondent no.2 to proceed further with the conciliation proceeding under the Industrial Dispute Act.
2. According to the petitioners, they were working with respondent no.3 as Security Guard and have been illegally discontinued/terminated. According to the petitioners, they have raised a dispute under the Industrial Disputes Act before respondent no.2 in August, 2018 but till date no decision has been taken on the conciliation proceeding.
3. Given the said fact, the writ petition at this juncture stands disposed of with a direction to respondent no.2 to proceed and decide the conciliation proceeding at the earliest in accordance with the rules. Even if respondent no.3 raises an objection in respect of the maintainability, respondent no.2 has to proceed in accordance with law and pass a suitable order under the provisions of law. Let this exercise be done within a period of 60 days from the date of receipt of certified copy of this order.
4. With the aforesaid observation, the Writ Petition stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit