

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 8001 of 2018

1. Nityanand Sharma S/o Shri Satnam Sharma, Aged About 56 Years, Working As A Security Guard, Bharat Aluminium Company Limited, Post - Balco Nagar, Police Station - Balco Nagar, Korba, District - Korba Chhattisgarh.
2. Surjeet Singh S/o Shri Mohinder Singh, Aged About 57 Years, Working As A Security Guard, Bharat Aluminium Company Limited, Post - Balco Nagar, Police Station - Balco Nagar, Korba, District - Korba Chhattisgarh.
3. Dharampal S/o Shri Munshi Lal, Aged About 57 Years, Working As A Security Guard, Bharat Aluminium Company Limited, Post - Balco Nagar, Police Station - Balco Nagar, Korba, District - Korba Chhattisgarh.
4. Nirmal Chandra Swargary S/o Shri Rakesh Swargary, Aged About 58 Years, Working As A Security Guard, Bharat Aluminium Company Limited, Post - Balco Nagar, Police Station - Balco Nagar, Korba, District - Korba Chhattisgarh.
5. Ajit Singh S/o Shri Makhan Singh, Aged About 57 Years, Working As A Security Guard, Bharat Aluminium Company Limited, Post - Balco Nagar, Police Station - Balco Nagar, Korba, District - Korba Chhattisgarh.
6. Jeet Singh S/o Shri Bidhi Chand, Aged About 56 Years, Working As A Security Guard, Bharat Aluminium Company Limited, Post - Balco Nagar, Police Station - Balco Nagar, Korba, District - Korba Chhattisgarh.
7. Bejoy Tamang S/o Shri R.B. Tamang, Aged About 57 Years, Working As A Security Guard, Bharat Aluminium Company Limited, Post - Balco Nagar, Police Station - Balco Nagar, Korba, District - Korba Chhattisgarh.
8. Nitishwar Prasad Singh S/o Shri Jairam Singh, Aged About 57 Years, Working As A Security Guard, Bharat Aluminium Company Limited, Post - Balco Nagar, Police Station - Balco Nagar, Korba, District - Korba Chhattisgarh.
9. Joginder Singh S/o Sunder Singh, Aged About 57 Years, Working As A Security Guard, Bharat Aluminium Company Limited, Post - Balco Nagar, Police Station - Balco Nagar, Korba, District - Korba Chhattisgarh.

10. Vidyapati Singh S/o Shri Dadan Singh, Aged About 56 Years, Working As A Security Guard, Bharat Aluminium Company Limited, Post - Balco Nagar, Police Station - Balco Nagar, Korba, District - Korba Chhattisgarh.

11. Ram Phool S/o Shri Ram Charan, Aged About 57 Years, Working As A Security Guard, Bharat Aluminium Company Limited, Post - Balco Nagar, Police Station - Balco Nagar, Korba, District - Korba Chhattisgarh.

12. Kartar Chand S/o Shri Chuni Ram, Aged About 59 Years, Working As A Security Guard, Bharat Aluminium Company Limited, Post - Balco Nagar, Police Station - Balco 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