

HIGH COURT OF CHHATTISGARH, BILASPUR
WPS No. 335 of 2019

Amresh Kumar Jha S/o Late Devendra Kumar Jha Aged About 39 Years
Occupation - Overman, Grade-B, Dipika Extension, Dipika Area, Korba
District - Korba Chhattisgarh., District : Korba, Chhattisgarh

---- **Petitioner**

Versus

1. South Eastern Coal Field Limited Through General Manager, Secl Head Quarter, Seepat Road, Bilaspur, District - Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
2. South Eastern Coal Field Limited Office, Sub Area Manager, Dipika Area, Karmik Department, Post Office - Dipika, District - Korba Chhattisgarh., District : Korba, Chhattisgarh

---- **Respondents**

For petitioner	:	Mr. Shubham Tripathi, Advocate
For State	:	Ms. Sunita Jain, GA
For Res. SECL	:	Mr. Chandradeep Prasad, on behalf of Mr. Vaibhav Shukla, Advocates

Hon'ble Shri Justice P. Sam Koshy

Order on Board

18/01/2019

1. The claim of the petitioner through the present writ petition is for promotion to the post of Over Man Grade -B w.e.f. 31/03/2012. When it is alleged that the juniors to the petitioner and working along with the petitioner have been granted promotion to the said post.
2. Prima Facie, this Court is of the view that the petitioner falls within the category of "workman" under the Industrial Disputes Act, 1947. The petitioner for redressal of his grievance ought to have raised a dispute under the provisions of the Industrial Disputes Act and where the matter could have been referred for its proper adjudication as evidences would be required to be adduced on either side in support of their respective claim and contentions. Reserving the right of the petitioner for approaching the appropriate authority under the provisions of the Industrial Disputes Act, 1947 for redressal of his grievance present writ petition in its present form stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE