

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 3 of 2018

Naveen Sharma Son of Shri P. L. Sharma, Aged About 48 Years Shiv Colony, Near Sheetla Mandir, Kaurin Bhata, Rajnandgaon, District Rajnandgaon, Chhattisgarh. **--- Petitioner**

Versus

1. State of Chhattisgarh Through The Principal Secretary, Department Of Labour Mantralaya, Mahanadi Bhawan, Naya Raipur, Chhattisgarh., Chhattisgarh
2. (Deleted) High Court of Chhattisgarh, as Per Hon'ble Court Order Dated 10.07.2018.
3. Labour Court Rajnandgaon, District Rajnandgaon, Chhattisgarh. **--- Respondents**

For the Petitioners : Mr. Atanu Ghosh, Advocate

For the State : Mr. Soumya Rai, P.L.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

05-09-2019

1. In the instant petition, the order dated 18.04.2017 (Annexure P-1) passed by the Labour Court (Industrial Disputes Act) is under challenge. The petitioner is a practicing lawyer since 1980. It is stated that he was engaged to represent the State before the Labour Court, Rajnandgaon. The order under challenge dated 18.4.2017 is to the effect that his appearance in various cases on behalf of the State since 2013 has been annulled on the ground that he has failed to furnish the order of appointment issued by the Government Officer duly appointed by him in such proceedings and the said order has been passed in exercise of the power under section 36(4) of the Industrial Disputes Act, 1947. It is submitted that certain orders have been passed by the coordinate Bench of

this Court in WP(C) No. 1777/2017 decided on 16.01.2018 in favour of one Ramesh Kumar Gupta, who was also a Government Advocate and in the said petition, the like nature of the impugned order dated 18.4.2017 passed by the Labour Court was set aside, therefore, the present petitioner is also entitled for similar relief.

2. It is not disputed by the State Counsel that similarly placed another person namely Ramesh Kumar Gupta against whom similar orders have been passed by the Labour court has been set aside by the Coordinate Bench of this Court.
3. I have gone through the impugned order as also the decision rendered by the Coordinate Bench of this Court on in W.P(C).No. 1777/2017 on 16.01.2018. After perusal of the same, I am of the opinion that the order dated 16.01.2018 passed in WP(C) No.1777/2017 shall also be applicable in case of the petitioner. Consequently, the impugned order dated 18.04.2017 (Annexure P-1) is set aside and this writ petition is allowed.

Sd/-
(Goutam Bhaduri)
Judge