

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WA No. 431 of 2018**

Kanhaiya Lal Sahu S/o Rajaram Sahu, Aged About 60 Years R/o Santoshi Chowk, Ward No. 6, Jamul, Tahsil And District Durg Chhattisgarh.

---- Appellant**Versus**

1. The State Of Chhattisgarh Through Labour Secretary And Labour Commissioner, Raipur, District Raipur Chhattisgarh.
2. President, State Industrial Court Of Chhattisgarh At Raipur, Mahanadi Khand, Near D.K.S. Bhawan, Raipur, District Raipur Chhattisgarh.
3. Pragatisheel Cement Shramik Sangh, Labour Camp, Jamul, Bhilai, District Durg Chhattisgarh.
4. General Manager, (Now Vice President), The Associated Cement Companies Limited, Registered Under Indian Companies Act With The Registrar Of Companies, Bombay, Registered, Office At Cement House 121, Maharshi Karve Road, Mumbai - 20 Carrying On Manufacture Of Cement In The Name Of Jamul Cement Works At Jamul, Tahsil And District Durg Chhattisgarh Through Its Vice President I.M. Sharma.

---- Respondents

For Appellant : Mr.Punit Ruparel, Advocate.

For respondent No.1/ State : Ms. Richa Shukla, Dy. GA.

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice &

Hon'ble Shri Justice Parth Prateem Sahu

Order on Board

Per Ajay Kumar Tripathi, Chief Justice

15/02/2019

1. Heard learned counsel for the parties.
2. This Appeal is an off-shoot of the common order dated 05.12.2017 passed in a batch of writ applications which came to be decided by the learned Single Judge.

3. Not being satisfied with the said order, appeals came to be preferred before the Division Bench and the Division Bench took up large number of such appeals, clubbed them together and passed a common order dated 02.05.2018, the lead case being WA No.212/2018 which was the case of **Jeevan Nishad Vs. State of Chhattisgarh & Anr.**
4. Since, the issue in question has already been answered by the Division Bench against the order of the learned Single Judge in following terms, therefore, this appeal is also disposed off in terms of the same;

“9.For the aforesaid reasons, while affirming the view of the learned Single Judge that the Writ Petitioners /appellants have to take recourse to due procedure for enforcement of the Award before the competent authority, in exercise of authority under Article 227 of the Constitution, it is hereby ordered that such Tribunal, Court or other authority which may be moved by any of the appellants or any other beneficiary of the Award dated 20/02/2006 passed by the Industrial Court, Raipur in Reference No.6/MPIR/2000 shall do the needful and conclude on any such application within an outer limit of three months from the date of receipt of such application. The appellants are authorized to place copies of this order before the authorities concerned for their information”

Sd /-

(Ajay Kumar Tripathi)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge