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HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 592 of 2019**

(Arising out of common judgment dated 02.05.2018 passed in WA No. 212 of 2018 and connected matters by the learned Division Bench)

- Madan Yadav S/o Lakhan Yadav Aged About 56 Years R/o Ward No. 16, Aajad Chowk, Acc Jamul Cement Works, Durg, District Durg Chhattisgarh

---- Appellant**Versus**

1. The State Of Chhattisgarh Through Labour Secretary, And Labour Commissioner, Raipur, District Raipur, Chhattisgarh
2. President State Of 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 President) The Associated Cement Companies Limited, Registered Under Indian Companies Act With The Regeister Of Companies Bombay, Register Office, At Cement House No. 121, Maharshi Karve 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**MCC No. 593 of 2019**

- Asthir Nirmalkar S/o Baldu Ram Aged About 67 Years R/o Ward No. 8, Behind Ram Mandir, Acc Jamul, Jamul Cement Works, District Durg Chhattisgarh

---- Appellant**Versus**

1. 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 the State : Mr. Sudeep Verma, Dy. G. A.

Hon'ble Shri P. R. Ramachandra Menon, Chief Justice
Hon'ble Shri Sharad Kumar Gupta, Judge

ORDER ON BOARD

Per P.R. Ramchandra Menon, Chief Justice

19.09.2019

1. The matters have been listed before this Court pursuant to the request made by the Presiding Officer of the Labour Court, through the State Industrial Court, Raipur, seeking for extension of time for finalization of adjudication of the case concerned.
2. The matter relates to the common judgment dated 02.05.2018 passed by this Court in writ appeal No. 212/2018 and connected cases. The operative portion of the judgment in paragraph 9 read as follows:

“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”.

3. We have heard the learned counsel representing the State.
4. Since the request has been made by the Presiding Officer of Labour Court, pointing out the circumstances on which the extension of time is sought for, we dispense with notice to the party respondent. Considering the facts and circumstances, we find it appropriate to grant a further period of '3 months' from today, to have the matter finalized.
5. The registry is directed to communicate the outcome to the Presiding Officer of Labour Court concerned, appropriately.

Sd/-

(P.R. Ramachandra Menon)

Chief Justice

Sd/-

(Sharad Kumar Gupta)

Judge

parul