

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.6017 OF 2019**

Ashwani Shrivastava S/o Late Shri Laxmi Narayan Shrivastava Aged About 45 Years Employee, Ward Sewak, Rajya Beema Sewaye, Tedesara, Labour Department Rajnandgaon Chhattisgarh.

...Petitioner(s)

Versus

1. State Govt. of Chhattisgarh Through The Secretary, Department of Labour, Atal Nagar, Capital Complex, Mahanadi Bhawan, Mantralay Police Station Rakhi, New Raipur Chhattisgarh.
2. Director Employees State Insurance Service, Indrawati Bhawan, New Raipur Chhattisgarh.
3. Superintendent ESI Hospital District Rajnandgaon Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Vinod Kumar Sharma, Advocate
For Respondent-State	:	Shri Jitendra Pali, Dy. Advocate General.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13.08.2019

1. The present writ petition has been filed seeking for relief of appropriate direction to the respondents to grant backwages from the date of termination till the date of reinstatement.
2. At the outset, this court is not inclined to entertain the present writ petition for the reason that setting aside of the order of termination was done by the Division Bench of this court in WA No. 672/2015. While setting aside the order of termination if the Division Bench has not granted relief of back wages the same cannot be claimed by the petitioner at a later stage by filing a fresh writ petition. Moreover, the Division Bench was totally silent so far as granting of any consequential benefits to the petitioner is concerned rather the right was reserved in favour of the respondents to take appropriate action a fresh if they so want.
3. Under the circumstances, the present writ petition stands rejected.

Sd/-
(P. Sam Koshy)
Judge