

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 384 of 2019**

{Arising out of order dated 30.04.2018 passed by learned Single Judge in Writ Petition (S) No. 4036 of 2007}

1. South Eastern Coalfields Ltd. Through the Chairman cum Managing Director, Seepat Road, Bilaspur (C.G.)
2. Sub-Area Manager West Chirmiri Colliery, South Eastern Coalfields Ltd. Chirmiri Area.
3. Senior Personnel Officer West Chirmiri Colliery, South Eastern Coalfields Ltd. Chirmiri Area.
4. The Sub-Area Manager, NCPH Colliery, Chirmiri Area, Chirmiri Distt. Korea (C.G.)
5. The Senior Personnel Officer, NCPH Colliery, Chirmiri Area, Chirmiri Distt. Korea (C.G.)

---- Appellants

Versus

- Sadhram, S/o Foddo, R/o Old Miners Quarters, Post Office West Chirmiri Colliery, Pin 497773 Chirmiri, Distt. Korea (C.G.)

---- Respondent

For Appellants : Shri Vinod Deshmukh and Shri Ritesh Giri, Advocates.

Hon'ble Shri P. R. Ramachandra Menon, Chief Justice**Hon'ble Shri Justice Parth Prateem Sahu, Judge****Judgment on Board****Per P. R. Ramachandra Menon, Chief Justice****29.08.2019**

1. The learned counsel for the Appellants submits that the contention raised by the Appellants disputing the eligibility of the writ Petitioner to get the SPRA (Special Piece Rate Allowance) for the period of ten years from 14.08.1995 till 12.04.2005 (when the writ Petitioner was admittedly not working as a 'Tub Loader') has been correctly repelled by the learned Single Judge, but some

relief has been wrongly given on the basis of some mistake of facts, which is not correct or sustainable in view of the records already produced, and in particular Annexure P/10 pay-slip, produced by the writ Petitioner himself. It is added that 'SPRA', which has been introduced to increase the productivity as per the provisions of NCWA (National Coal Wage Agreement), is payable only with regard to the 'basic pay', which hence cannot be the same in respect of all the Tub Loaders.

2. After arguing the matter sometime, the learned counsel for the Appellants seeks for permission to withdraw the appeal, without prejudice to rights and liberties to pursue the matter by filing appropriate proceedings before the learned Single Judge, in accordance with law.
3. The appeal stands dismissed as withdrawn, without prejudice, as above.

Sd/-

(P. R. Ramachandra Menon)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge