

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 9700 of 2019**

- Dharmendra Prasad S/o Shiv Shankar Prasad Aged About 38 Years Presently Working As Associate Manager Balco R/o Qr. No.455, Sector-3, Balco Nagar, District Korba, Chhattisgarh.

---- Petitioner

Versus

1. Union Of India, Through Secretary, Department Of Steel And Heavy Industries.
2. The General Manager Bharat Aluminium Co.Ltd. Post Balco Nagar, Korba, District Korba, Chhattisgarh, Pin- 495684.
3. The Assistant General Manager (Human Resources) Bharat Aluminium Co.Ltd, Post Balco Nagar, Korba, District Korba, Chhattisgarh, Pin- 495684.
4. The Deputy Manager (Human Resources), Bharat Aluminium Co.Ltd., Comprehensive Building, 1st Floor, Desk 2309, Post Balco Nagar, Korba, District Korba, Chhattisgarh, Pin- 495684.

---- Respondents

For Petitioner : Shri A.K. Yadav, Advocate

For Respondent/ Union of India : Shri Rajesh Kesharwani, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****19/12/2019**

1. Heard.
2. The instant petition is filed against respondents No. 2, 3 & 4 who is a private company and a non statutory body and do not exercise any statutory power. There is nothing on record, pleaded or has been argued that the entire share capital is held by the Government or the company enjoys the monopoly status confined by the State. It is a complete private body having

no statutory power. Further, the quantum of State control is also absent, therefore, in view of the fact it will not be covered under Article 12 of the Constitution of India so that writ petition can be entertained. The writ petition is as vague as it can be and a strong objection has been raised by Respondent No. 1 that they have been unnecessarily arrayed as party. Apparently, it appears that Respondent No.1 has been unnecessarily arrayed as party and contention of respondents is worth acceptance.

3. The petition being devoid of merits is liable to be and is hereby dismissed.

Sd/-

Goutam Bhaduri
Judge

Jyoti