

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5053 of 2011**

1. Gajun Singh Kanwar, S/o Shri Lila Singh aged about 35 years, presently working as Cook, R/o Chikneepali, Tahsil- Kartala, District – Korba, C.G.
2. Ashok Kumar Katakwar, Son of Shri Denish Kumar, aged about 28 years R/o Pt. Ravishankar Shukla, Nagar House No. MIG 1/26, Distt. Korba, C.G.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through the Secretary, Scheduled Tribe and Scheduled Caste Department, Secretariat, D.K.S. building, Raipur, C.G.
2. The Assistant Commissioner, Tribal Development, District – Korba, C.G.
3. The District Collector, Korba, C.G.
4. The Block Development Education Officer, Pondi, Uprora, District Korba, C.G.
5. The Superintendent, Tribal Balak Ashram, Pondi, Uprora, District Korba, C.G.

---- Respondents

For Petitioner	:	Mr. Sameer Behar, Advocate
For State	:	Ms. Sunita Jain, GA

Hon'ble Shri Justice P. Sam Koshy
Order on Board

11/06/2020

1. The present petition has been filed seeking for direction to the respondents for immediately releasing the unpaid wages to the petitioners from September, 2009 till date.
2. Perusal of the order sheet dated 15.12.2011 clearly reflects that unpaid salaries of the petitioners have been released to them.
3. In view of the entire unpaid salaries having been released to the petitioners, this Court is of the opinion that nothing further remains to be adjudicated in the instant case.

4. So far as claim of the petitioner for releasing the interest is concerned, we find that the writ petition was filed in August, 2011 and by December, 2011 the entire payment has been made to the petitioners.
5. Thus, there seems to have been a prompt response from the respondents immediately on the filing of the petition. Therefore, they would not be entitled for any interest. Moreover, the status of the petitioner was only that of the daily wage worker whose services could have been discontinued at any point of time and there engagement was not in accordance with any of the constitutional scheme applicable in the department, for this reason also this Court finds it difficult in granting the relief of interest to the petitioner.
6. In view of the same the writ petition stands dismissed at this juncture.

Sd/-
(P. Sam Koshy)
Judge

Rohit