

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1524 of 2020

Abdul Khalil Khan S/o Abdul Jalil Khani Aged About 42 Years R/o
Premnagar, Thakkar Bapa Ward, Gudhiyari, Police Station- Gudhiyari,
Raipur, District- Raipur, Chhattisgarh. ... **Petitioner**

Versus

1. State of Chhattisgarh through Secretary, Department of Labour, Mahanadi Bhawan, Atal Nagar, Raipur, District- Raipur, Chhattisgarh.
2. Labour Commissioner Block-3, Indravati Bhawan, Atal Nagar, Raipur, District- Raipur, Chhattisgarh.
3. M/s Shri Bajrang Power And Ispat Limited (Tmt Division) Through- The General Manager (Hr), Shri Bajrang Power And Ispat Limited (TMT Division) Serve No. 2/3, Village Gondwara, Urla Industrial Area, Raipur, Chhattisgarh.
---- **Respondents**

For the Petitioner : Mr. Vipin Tiwari, Advocate

For the State : Mr. Kunal Das, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

12-03-2020

1. The present petition is filed for the following reliefs :

“10.1 That this Hon'ble Court may kindly be pleased to direct the respondent No.2 to decide the complaint, that was submitted on 12.10.2018 (Annexure P-1) by the petitioner for not paying the bonus as per rules by respondent no.3, within a stipulated period of 30 days.

10.2 Any appropriate writ, direction or order may also kindly be passed in favour of the petitioner, which this Hon'ble Court deems fit in the circumstances of the case”

2. Learned counsel for the petitioner would submit that respondent no.3 is liable to pay the bonus, however, since no bonus has been paid and the Letter was sent to the Labour Commissioner, as per

Section 30 of the Payment of Bonus Act, 1965, the authority should have decided the complaint.

3. The Payment of Bonus Act 1965 is a complete Code itself. With respect to payment of bonus, different provisions exists in the Act, 1965. It is the Government u/s 21 of the Act, 1965 would be appropriate forum, for which, the petitioner can get the redressal.
4. Since the appropriate statutory forum is already available under the Payment of Bonus Act, the instant petition is completely misconceived and it is dismissed.

**Sd/-
GOUTAM BHADURI
JUDGE**