

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (L) No. 4515 of 2011

1. State of Chhattisgarh through the Secretary, Department of Water Resources, DKS Bhawan, Mantralaya Raipur (CG).
(The petitioner No.1 was not a party before the learned Labour Court but has been impleaded as petitioner No.1 in the instant petition as the proper course is to implead the State Govt. through the Secretary of the concerned Department.
2. Sub Divisional Officer, Hasdeo Sub Minor Up Sambhag Kramank 3, Sakti, District Janjgir Champa, CG.

---Petitioner(s)

Versus

1. Motilal Yadav, S/o Baratu Yadav, aged about 47 years, Ex. Side Helper, R/o Post Behradeeh, Tehsil Champa, Distt. Janjgir Champa, Chhattisgarh.

---Respondents

For Petitioner-State	:	Shri Rahul Jha, Govt. Advocate.
For Respondent	:	Shri SP Kale, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

05.01.2021

1. The challenge in the present writ petition is to the award passed by the Labour Court dated 16.08.2010 in case No.02/IDA/10/Reference.
2. Vide the said impugned award the Labour Court has answered the reference in favour of the worker respondent No.1 granting relief of reinstatement without back wages. The said award dated 16.08.2010 was promptly implemented by the petitioners herein and the respondent worker was taken back in service. However, after about an year later the present writ petition has been filed on 08.08.2011. Since the worker was already reinstated, the question of staying of the award did not arise.
3. Today when the matter was taken up for hearing, the counsel for the respondent submits that he has instructions to state that the worker involved in the present case namely Motilal Yadav have expired somewhere in the year 2013-14 and thereafter he has got no further instructions from the side of the worker.

4. The counsel for the State, on instructions, also submits that the respondent worker was never regularized.
5. Given the aforesaid factual matrix of the case, this court is of the opinion that the matter as such has abated. Accordingly, affirming the award that has been passed by the Labour Court dated 16.08.2010, the writ petition stands disposed of as having abated.

Sd/-
(P. Sam Koshy)
Judge

inder