

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (L) No. 6566 of 2011**

1. State of Chhattisgarh, through Engineer-in-Chief, Mahanadi Pariyojna, Shantinagar Chowk, Raipur (CG)
2. The Executive Engineer, Water Management Division No.1, Akashwani Chowk, Behind Kalimandir, Raipur, District Raipur (CG)

---- Petitioners**Versus**

1. Noop Kumar Sharma S/o Shri Manilal Sharma, R/o 29/768, Beside Naya Talab, Bajrang Nagar, Raipur (CG)
2. The Labour Court, Raipur (CG)

---- Respondents

For Petitioners/State	:	Mr. Rahul Jha, Govt. Advocate
For Respondent no.1	:	Mr. J. K. Gupta, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****06.04.2021**

1. The challenge in the present writ petition is to the award dated 15.04.2009 passed by the Labour Court, Raipur in Case No.10/2008/I.D. Act/Ref. Vide the impugned award, the Labour Court has directed the petitioner-State for reinstatement of the respondent no.1 in service without back wages.
2. The award of the Labour Court was passed on 15.04.2009 and from the record it appears that the said award was pronounced on 13.11.2009. The present writ petition was filed by the State after more than 2 years from the date when the impugned award of the Labour Court was passed. Moreover, from the pleadings it also appears that

the order of the Labour Court was immediately complied with in as much as the concerned worker was taken back in service in December, 2009 itself and since then he is continuing in service of the State. No proper justification for not filing the writ petition promptly has been provided in the writ petition.

3. Today, when the matter is taken up for hearing, learned counsel appearing for the workman drew the attention of the Court to an application of the petitioners i.e. an application dated 13.05.2019 whereby the petitioners themselves have brought on record an order dated 20.01.2019 passed by the petitioners whereby the services of the worker-respondent no.1 have also now been regularized as an Assistant Grade-III.
4. Given the fact that the respondent no.1/worker had been reinstated in service in 2009 and thereafter in due course of time, the services of the petitioner have also been regularized, this Court is of the opinion that it would not be proper and justified nor would it be equitable, at this juncture to interfere with the award passed by the Labour Court keeping in view the subsequent development.
5. The writ petition thus at this juncture stands rejected.

**Sd/-
P. Sam Koshy
Judge**