

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (L) No. 26 of 2012**

1. State of Chhattisgarh through the Secretary, Department of Water Resources, D.K.S. 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 Government through the Secretary of the concerned department)
2. Chief Engineer, Minimata Hasdeo Bango Pariyojna, Bilaspur (CG)
3. Executive Engineer, Minimata Bango Bandh Pariyojna, Vibhag Kramank 3, Machadoli Bango, District Korba (CG)

---- Petitioners**Versus**

Dharamprakash Vaishnav S/o late Dwarika Das Vaishnav, R/o village Chorhadewari, Post Khaira Dagania, Ratanpur, District Bilaspur (CG)

---- Respondent

For Petitioners	:	Mr. Jitendra Pali, Dy. Advocate General
For Respondent	:	Mr. S. P. Kale, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****11.06.2021**

1. Aggrieved by the award dated 08.08.2011 pronounced on 03.12.2011 in case No. 21/ID Act/2010/Reference the present writ petition has been filed. Vide the impugned order the learned Labour Court has awarded reinstatement without back wages.
2. Immediately on the pronouncement of the award the petitioners had complied with the order by reinstating the respondent-worker on

28.01.2012 and the worker continued in employment till he attained the age of retirement.

3. Today when the matter is taken up for hearing, the learned counsel for the parties fairly concede that the respondent-worker was permitted to discharge his duties continuously till he attained the age of superannuation in August, 2013.
4. Given the aforesaid submission by the learned counsel for the parties and considering the fact that the order of the Labour Court stood complied by reinstating the worker and the worker being permitted to discharge his duties pending the writ petition till he attained the age of retirement, this Court is of the firm view that it would not be justified at this juncture to interfere with the award passed by the Labour Court granting reinstatement without back wages.
5. Thus, without interfering with the award passed by the Labour Court, the writ petition at this juncture stands disposed of.

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