

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**Writ Petition (L) No. 102 of 2012**

1. State of Chhattisgarh through Divisional Forest Officer, Khairagarh, Tahsil Khairagarh, District Rajnandgaon (CG).

**---Petitioner(s)**

**Versus**

1. Naradram Gadariya, S/o Mouji Ram Dhankar, R/o village Antariya, Tahsil Chhuikhadan, District Rajnandgaon (CG).

**---Respondents**

|                 |   |                                        |
|-----------------|---|----------------------------------------|
| For Petitioner  | : | Ms. Akanksha Jain, Dy. Govt. Advocate. |
| For Respondents | : | None.                                  |

**Hon'ble Shri Justice P. Sam Koshy**

**Order on Board**

**11.06.2021**

1. Aggrieved by the award dated 01.07.2008 pronounced on 15.10.2008 in case No.117/ID/2007 (Ref.) passed by the Labour Court, Rajnandgaon, the present writ petition has been filed.
2. Surprisingly the present writ petition has been filed after more than four years from the date the impugned award was passed. More surprising is the fact that the petition is being filed after four years of petitioner complying with the order passed by the Labour Court. The order of the Labour court in favour of the respondent worker was of reinstatement without backwages. The award was passed on 01.07.2008 and the same was pronounced on 15.10.2008. Immediately thereafter it is said that the petitioner complied with the order by reinstating the worker w.e.f. 31.10.2008 as would be evident from Annexure P/4 filed along with the writ petition itself.
3. Thereafter the State took more than four years time to file the present writ petition. Another astonishing fact from the pleadings is that though the award was passed and pronounced in October, 2008, the sanction from the State Govt. was also received in the year, 2010 yet even after proper

sanction by the State Govt. the writ petition has been filed by further delay of two years in September, 2012. No justifiable explanation has been provided showing plausible reasons for delay in filing of the present writ petition.

4. Thus, this court is of the firm view that the writ petition suffers from delay laches and deserves to be and accordingly is hereby rejected only on the ground of delay laches affirming the award passed by the Labour Court.

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

inder