

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 71 of 2005

The Management of Superintending Engineer ***Petitioner***

Ms. S. Pattnaik, Advocate

-versus-

The Presiding Officer, Labour Court ***Opposite Parties and Another***

Mr. Rajendra Kumar Bose, Advocate
Mr. A.P. Das, Addl. Standing Counsel

CORAM:
THE CHIEF JUSTICE
JUSTICE R.K. PATTANAİK

Order No.

ORDER
09.03.2022

10. 1. This is a petition by the Management challenging an award dated 28th October, 2003 passed by the Labour Court, Jeypore, Koraput in I.D. Case No.1 of 2003. By the said award, the Labour Court ordered that Sri P.C. Panda would be placed senior to Sri B.K. Patra, Sri K.C. Padhi and Miss Kalyani Mohapatra in the post of Clerk-A without any claim for arrears in the promotional post.
2. This Court had by the order dated 8th August, 2005 directed stay of the further proceedings in 2(C)CC No.9 of 2005 pending in the Court of Sub-Divisional Magistrate, Jeypore, Koraput for implementation of the said Award.

3. In the long period of 16 years of pendency of the present petition not only Sri Panda has superannuated but the other three persons abovementioned have also superannuated.

4. Consequently, the Court sees no reason why it should interfere with the impugned Award at this stage. The concerned express by learned counsel for the Petitioner that the Award may constitute a precedent for other similar claims is allayed by clarifying that the Award shall not constitute a precedent for other cases, each of which will obviously be decided on their peculiar facts. The interim order is accordingly vacated.

5. The writ petition is dismissed with the above observations.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge

S.K. Jena/P.A.