

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No.1795 of 2007

General Manager, Bharatpur Area **Petitioner**
Mahanadi Coalfields Ltd., Angul

Mr. N.C. Sahoo, Advocate

-versus-

Their workmen Representation **Opposite Party**
through General Secretary, Angul

None

CORAM:
THE CHIEF JUSTICE
JUSTICE R. K. PATTANAİK

ORDER
02.02.2022

Order No.

05.

1. This matter is taken up by video conferencing mode.
2. Challenging in the present petition by the Management to an award order dated 10th May, 2006 of the Central Government Industrial Tribunal-Cum-Labour Court, Bhubaneswar (Tribunal) in Industrial Dispute Case No.264 of 2001, by the impugned award, the Tribunal directed to the Petitioner Management to give national promotion to the workmen EP category-1 Mozdoors pursuant to the implementation instruction No.49 generated from out of the National Coal Wage Agreement-IV.
3. Although, the impugned award order dated 10th May, 2006, the present petitioner was filed only on 14th February, 2007 and for a period of seven years thereafter it was not even listed. Till date not a single effective order has been passed in the matter. No notice

has been issued and there has been no order staying the operation of the impugned award. Counsel for the Petitioner does not have any instructions and whether the impugned award has been implemented for the Petitioner.

4. In the circumstances, the Court thinks no reason should more than 15 years after passing of the award interfere with it and it has not been stayed during all these years. Interfering at the stage is only caused irreparable hardship to the Opposite Party Workmen.

5. Court accordingly dismissed the writ petition.

6. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, as par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020, modified by Notice No.4798, dated 15th April, 2021 and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

(Dr. S. Muralidhar)
Chief Justice

(R. K. Pattanaik)
Judge

T.TUDU