

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.15616 of 2010

Mahanadi Coalfields Ltd. and Others ***Petitioners***
Mr. Anindya Kumar Mishra, Advocate
-versus-
Jnanendra Prasad Panda and Another ***Opposite Parties***
Mr. Sanjay Kumar Mishra, Advocate

CORAM:
THE CHIEF JUSTICE
JUSTICE M.S. RAMAN

Order No.

ORDER
13.04.2022

I.A. No.4910 of 2022

12. 1. For the reasons stated therein, the application for substitution is allowed. The legal heirs of Opposite Party be brought on record.
2. The I.A. is disposed of.

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3. The challenge in the present petition is made to an order dated 2nd August, 2010 passed by the Labour Court, Sambalpur asserting jurisdiction to entertain the application of the workman (Opposite Party No.1) under Section 33-C (2) of the Industrial Disputes Act, 1947.
4. Admittedly, the Petitioner is a Central Government Public Sector Undertaking governed by the jurisdiction of the Central Government Industrial Tribunal, Bhubaneswar. Clearly, the Labour Court, Sambalpur would have no jurisdiction over the Petitioner.

5. On that short ground, the impugned order dated 2nd August, 2010 is set aside. If the Legal heirs of the Opposite Party workman wants to pursue the matter, it will be open to them to file an application in accordance with law before the appropriate forum.
6. The writ petition is disposed of in the above terms.
7. An urgent certified copy of this order be issued as per rules.

(Dr. S. Muralidhar)
Chief Justice

(M.S. Raman)
Judge

S.K. Jena/Secy.

