

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No. 12739 of 2010

Amulya Kumar Maharana ***Petitioner***
Mr. Sabyasachi Tripathy, Advocate
-versus-
Regional Director, Regional ... Opposite Party
Directorate of Education, Odisha
Mr. A.P. Das, Addl. Standing Counsel

CORAM:
THE CHIEF JUSTICE
JUSTICE R.K. PATTANAİK

Order No.

ORDER
25.04.2022

08. 1. The challenge in the present petition is to an Award dated 2nd December, 2009 passed by the Labour Court, Jeypore in I.D. Case No.2 of 2007. The question referred to the Labour Court for adjudication reads as under:

“Whether the termination of services of Sri Amulya Kumar Moharana, Ex-Dak Peon by way of refusal of employment with effect from 1.1.2004 by the Regional Director, Regional Directorate of Education, Berhampur is legal and/or justified ? If not, to what relief the workman is entitled. ?

2. The factual finding of the Labour Court is that the Petitioner did not work for 240 continuous days in the calendar year preceding the termination of his service. Further, it appears that he was appointed only at the instance of the Opposite Party, who was a close relative. The appointment itself was illegal. Therefore, the question of compliance of Section 25-F of the I.D. Act, 1947 did not arise.

3. Having heard learned counsel for the Petitioner, the Court is not satisfied that any ground has been made out to interfere with the impugned Award of the Labour Court. The writ petition is dismissed.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge

S.K. Jena/Secy.

