

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 3726 of 2011

Executive Engineer, National Highway Petitioner
Division, Berhampur, Ganjam

Mr. P.K. Muduli, Addl. Govt. Advocate

-versus-

Presiding Officer, Labour Court, Opposite Parties
Jeypore and another

Mr. Raja Lalit Mohan, Advocate

CORAM:
THE CHIEF JUSTICE
JUSTICE R.K. PATTANAİK

ORDER
04.04.2022

Order No.

06. 1. The challenge in the present petition by the Executive Engineer, National Highways Division, Berhampur is made to an Award dated 8th July, 2010 of the Labour Court, Koraput in I.D. Case No.09 of 2008 whereby the Petitioner has been asked to reinstate the Opposite Party No.2-Workman with full back wages.
2. By an order of this Court dated 17th May, 2011 the impugned order was stayed. That interim order has continued. In the meanwhile, the Opposite Party No.2-Workman has already attained the age of superannuation. The question of his reinstatement therefore, does not arise.
3. In that view of the matter, the Court is not inclined to interfere in the matter. The writ petition is accordingly dismissed.

4. It is clarified that the back wages will be payable till the date of superannuation.

5. An urgent certified copy of this order be issued as per rules.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge

S.K. Jena/P.A.

