

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.4998 of 2011

Rajendranath Nanda

....

Petitioner

M/s. S. Jena and associates, Advocates

-versus-

***Presiding Officer, Labour Court,
Sambalpur and others***

Opposite Parties

Mr. S. N. Das, ASC and

Ms. S. Patnaik, Advocate for Opposite Party No.3

**CORAM:
THE CHIEF JUSTICE
JUSTICE R. K. PATTANAİK**

**ORDER
29.03.2022**

Order No.

13. 1. The Workman has filed the present petition challenging the Award dated 20th October, 2010 passed by the Labour Court, Sambalpur in I.D. Case No.1 of 2006.
2. The dispute referred to the Labour Court for decision reads as under:

“Whether the action of the Executive Engineer (Elect.) CESCO Ltd., Dhenkanal Electrical Division, Dhenkanal in terminating the services of Sri Rajendranath Nanda, Meter Reader of Kamakhya Nagar Sub-Division, Kamakhyanagar w.e.f.01.09.2004/14.09.2004 by way of refusal of employment is legal/and or justified? If not, what relief Sri Nanda is entitled to?”

3. The Labour Court answered the above question in the affirmative by holding that the Workman was never engaged by the Executive Engineer (EE) (Electrical), CESCO but was in fact working for

M/s. Orange Securitas Pvt. Ltd. In para 12 of the impugned Award, there is a detailed discussion of the documents, which showed that the Workman was never employed by the EE, CESCO.

4. Learned counsel for the Workman referred to a letter dated 26th June, 2002 issued by the EE, Dhenkanal Electrical Division of CESCO addressed to the Sub-Divisional Officer (Electrical), Kamakhyanagar informing him the names of persons who had been placed under the Sub-Division “to form the de-hooking squad.” The said letter by no means suggests that the Workman was directly engaged by the EE. On the other hand, it merely states that he was placed as part of the de-hooking squad for that Sub-Division.

5. With there being no materials placed on record to enable the Court to come to a contrary conclusion, it sees no reason to interfere with the impugned Award of the Labour Court.

6. Accordingly, the writ petition is dismissed.

(Dr. S. Muralidhar)
Chief Justice

(R. K. Pattanaik)
Judge