IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No.20090 of 2026

CNR No. ODHC010451712026

Trinath Kalsa .... ***Petitioner***

Mr.Pramod Kishore Chand, Advocate

-Versus-

The Management of Odisha Weavers Co-operative Spinning Mills Ltd., Bargarh and another .... ***Opposite Parties***

CORAM:

HON'BLE DR. JUSTICE SANJEEB K PANIGRAHI

AND

HON'BLE MR. JUSTICE MURAHARI SRI RAMAN

ORDER

Order No. **06.11.2026**

02. ***1.*** This matter is taken up through hybrid arrangement.

2. The instant writ petition has been filed by the petitioner challenging the order dated 16.09.2022 passed by the Presiding Officer, learned Labour Court, Sambalpur in Misc. Case No.07 of 2015, wherein the monetary claim of Rs.7,61,240/- (Rupees seven lakhs sixty one thousand two hundred forty) only, filed under Section 33-C (2) by the petitioner-workman has been rejected.

3. Heard learned counsel for the petitioner.

4. Learned counsel for the petitioner submits that the petitioner discharged his duty to the best of his satisfaction

and ability of the employer-opposite party No.1, but the opposite party No.1 did not pay the outstanding dues to him. Hence, he filed an application under Section 33-C (2) of the Industrial Disputes Act, 1947 before the learned Labour Court, Sambalpur claiming his unpaid wages of Rs.7,61,240/- for the period, *i.e.*, from the year 1999 to 2015.

5. Learned State Counsel submitted that the opposite party No.1 has filed its show cause before the learned Labour Court wherein it is pleaded that the opposite party No.1 sustained huge loss for which the production activity of the Mill was ceased with effect from 16.07.1999. In spite of all remedial measure(s) by the Government to revive the Mill, no fruitful result could be achieved. Finally, the Government decided to sell the assets of the opposite party No.1.

5.1. It is further contended by learned State Counsel that the eligible employees' of the opposite party No.1-Mill were paid the amount as per their entitlement and thereafter they were retrenched from their services and the Management of the Mill got dissolved. Nonetheless, the petitioner being a daily wage casual worker was not entitled to avail benefits under the voluntary retirement scheme. Yet he came up before this Court after lapse of 16

years for disbursement of wages for the period during which the opposite party No.1 did not function.

6. In the impugned order, having recorded finding and analysing material particulars available on record, at paragraph-6.2, the learned Labour Court, Sambalpur held that the Government of Odisha took steps for liquidation of the Odisha Weavers Co-operative Spinning Mills Ltd., Bargarh in obedience to the order of the Hon'ble Apex Court and the respective entitlement has been determined and paid to all the eligible employees. Though the entitlement of the petitioner was also determined, he did not prefer to receive the same. Hence, the Court was of the view that the petitioner/workman has not made out a case under Section 33-C (2) of the Industrial Disputes Act, 1947 to make him eligible to get compensation from the opposite party No.1. It was further held in the said impugned order that the opposite party No.1 is the Employer/the Mill, where the petitioner was working, has already become non-operational and non-functional, being declared sick. Moreover, in obedience to the order of the Hon'ble Supreme Court of India, the eligible workers have already been paid with the money due to them by the opposite party No.1.

7. Considering the rival submissions of the parties and after perusal of the impugned order, since the opposite party No.1-Mill is non-operational and has been dissolved in the meantime and that the eligible workers have already been received their legitimate dues, this Court finds no infirmity in the impugned order dated 16th September, 2022 passed by the learned Presiding Officer, Labour Court, Sambalpur in Misc. Case No.7 of 2015. This Court hence desists from entertaining the instant writ petition filed by the petitioner and the reliefs claimed by the petitioner cannot be granted.

8. Hence, the writ petition stands dismissed.

(Dr. Sanjeeb K Panigrahi)
Judge

(Murahari Sri Raman)
Judge

Bichi

Signature Not Verified
Digitally Signed
Signed by: BICHITRANANDA SAHOO
Designation: Secretary
Reason: Authentication
Location: Orissa High Court, Cuttack
Date: 09-Nov-2026 14:35:38