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C. 8.101

(8)  
SINGLE BENCH

**IN THE HIGH COURT OF JUDICATURE AT BILASPUR**

2126  
**WRIT PETITION NO. /2006**

**PETITIONER (S)**

1. State of Chattisgarh  
Through Secretary  
Water Resources  
Department  
Mantralay Bhawan  
Raipur , Chhattisgarh
2. Executive Engineer  
Water Resources Division  
Chuikhadan  
District Rajnandgaon  
Chhattisgarh

P.R. No. 2160/06  
Presented by Anjy Ahye  
dated 21/4/06



**VERSUS**

**RESPONDENT(S)**

1. Mahamantri  
Chhattisgarh Jal  
Sansadhan Majdoor  
Sangh,  
Banspara,  
Durg  
Distt. Durg Chhattisgarh
2. Presiding officer  
Under ID Act  
Labour Court

*[Handwritten signature]*

Camp Court –  
Rajnandgaon  
Chhattisgarh

**APPLICATION UNDER ARTICLE 227 OF**  
**THE CONSTITUTION OF INDIA**

**HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR**

**Single Bench: Hon'ble Shri Satish K. Agnihotri, J.**

**W. P. No. 2126 OF 2006**

**Petitioners : State of Chhattisgarh & Another**

**Versus**

**Respondents : Mahamantri Chhattisgarh Jal  
Sansadhan Majdoor Sangh Durg &  
Another**

**Shri G.K. Beriwal, Deputy Advocate General for the  
petitioners.**

**Shri A.K. Paswan, counsel for the respondent No.1.**

**ORAL ORDER**

**(28<sup>th</sup> April, 2006)**

1. The members of the respondent No.1 were working in the  
Chulikhadan Water Resources Division at Rajnandgaon as  
daily wages workers.

2. The respondent No.1 raised a dispute before the Deputy

Labour Commissioner, Raipur, which was referred to the  
Labour Court, Rajnandgaon, Vide order dated 5.7.2005.  
The Labour Court after having considered all the facts of  
the case, came to the conclusion that the workers had  
worked for more than 240 days, in the preceding year, as  
such, before retrenchment, they ought to have been given  
retrenchment compensation, and retrenchment  
compensation was not paid under Section 25-F of the  
Industrial Disputes Act.

3. The order of retrenchment was accordingly declared as invalid and improper. As a result, the petitioners were directed to reinstate the workers without back wages as admittedly, the workers were employed else where gainfully. The petitioner has preferred, this petition filed under Article 227 of the Constitution of India challenging the impugned award dated 5.7.2005 passed by the Labour Court in the Case No. 14/ID Act/2001/Ref.
4. Learned counsel appearing for the petitioner challenges the order on the ground that the provisions of Section 17-B has been complied with. No error on the face of the record or any irregularity or perversity has been pointed out in the impugned award. In exercise of jurisdiction under Article 227 of the Constitution of India, this Court has limited scope to entertain this petition and it does not warrant any interference with the impugned order.
5. Accordingly, this petition is dismissed at admission stage summarily.

Sd/-  
Satish K. Agnihotri  
Judge

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