

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPL No. 25 of 2024

SECL (South Eastern Coalfields Limited) Through - Sub Area Manager, Rajgamar Sub Area, Korba Area, Post - Rajgamar Colliery, Rajgamar, District - Korba (C.G.) - 495677,...(Second Party)

---- Petitioner

Versus

1. Gendram S/o Chaintaram Through D.P. Saraf, Joint General Secretary, Rashtriya Colliery Mazdoor Congress, Registration No. 3519, R/o Q. No. E-22, 15 Block Colony, Korba, District Korba (C.G.),...(First Party)
2. Labour Judge Labour Court, At New Building, District Court, Bilaspur (C.G.)

---- Respondents

29.01.2024	Mr. K. K. Shrivastava, counsel for the petitioner. Ms. Smita Jha, counsel for the respondent No. 1. Heard on admission. Learned counsel for the petitioner would submit that it is a case of impersonation by the respondent No. 1. It has been further contended that he was dismissed from service on account of major misconduct after conducting regular departmental enquiry wherein he was given sufficient opportunity to defend. Thus, the Labour Court has committed illegality in setting aside the termination order. The issue is required to be considered. Admit. Ms. Smita Jha, counsel accepts notice for the respondent No. 1. Heard on I.A. No. 01/2024 application for interim relief. On due consideration, the same is allowed and the effect and operation of

the order/award dated 21.08.2023 passed by the Labour Judge Labour Court, District Court, Bilaspur (C.G.) shall remain stayed till the next date of hearing subject to compliance of Section 17(B) of Industrial Disputes Act, 1947.

Meanwhile, record of Labour Court be requisitioned.

List this case on **09th April, 2024** for final disposal at motion hearing list.

Sd/-
(Narendra Kumar Vyas)
Judge

Bhumika