



2026:CGHC:9768



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPL No. 21 of 2021

Mangalram Yadav S/o Late Shri Radheyshyam Yadav, Aged About 52 Years
R/o Village And Post Khoksha, Tahsil Janjgir, Police Station Janjgir, District
Janjgir Champa Chhattisgarh.

... Petitioner

versus

1 - State Of Chhattisgarh Through Secretary Department Of Water
Resources, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nava Raipur, District
Raipur Chhattisgarh.

2 - Executive Engineer, Water Resources Department, Division Janjgir,
District Janjgir Champa Chhattisgarh.

3 - Sub Divisional Officer Janjgir Branch Canal, Sub Division No. -1, Janjgir,
District Janjgir Champa Chhattisgarh.

... Respondents

For Petitioner	:	Mr. Paras Mani Shrivastava, Advocate
For Res./State	:	Mr. Suyashdhar Badgaiyan, Panel Lawyer

Hon'ble Shri Justice Sachin Singh Rajput

Order On Board

24/02/2026

1. The present writ petition challenges the order dated 20.09.2016, whereby the learned Labour Court, Janjgir–Champa (C.G.), dismissed the Statement of Claim filed by the petitioner for want of prosecution.



2. Learned counsel for the petitioner submits that the petitioner was engaged with the respondent as daily-wage employee from the year 1978 to 1984. It is further contended that the petitioner was orally retrenched without following the procedure provided under Section 25(F) of the Industrial Dispute Act, 1947 (herein after referred as ID Act, 1947"). Thus, a statement of claim was filed before the learned Labour Court and was registered as Case No. 13/ID Act/2016 (Ref.). The matter was listed on 20.09.2016; however, in the absence of the petitioner, the same was dismissed for want of prosecution. He further submits that the petitioner may be given one opportunity by setting aside the impugned order.

3. Per contra, learned counsel for the respondent submits that the retrenchment was effected in the year 1988, whereas the statement of claim was filed after an inordinate delay, only in the year 2016.

4. Be that as it may, since the statement of claim of the petitioner was not decided on merits, this Court considers it appropriate, in the interest of justice, to grant one opportunity to the petitioner to contest his case.

5. In view of the above, the impugned order dated 20.09.2016 is hereby set aside and the Case No. 13/ID Act/2016 (Ref.) is restored to its original numbers.

6. The parties are directed to appear before the learned Labour Court on 1st April, 2026, either in person or through their respective counsel. Thereafter, the learned Labour Court shall proceed with the matter and decide the same in accordance with law expeditiously. It is observed that if the petitioner fails to appear either in person or through his counsel, the Labour Court would be at liberty to pass appropriate orders.



7. With the aforesaid observation(s)/direction(s), this writ petition is disposed of.

8. All pending interlocutory application if any, are disposed of.

Sd/-
(**Sachin Singh Rajput**)
Judge

Ami