

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPL No. 134 of 2012

The Principal Rajkumar College & Anr. **Versus** Mrs. Savita Mohanty

27/09/2016	Ms. Fouzia Mirza, counsel for the petitioner/s. Mr. N.K. Vyas, counsel for the respondent. Heard on I.A. No.5, application for issuance of appropriate direction. Learned counsel for the petitioners submits that even though the petitioners have already been reinstated, the respondent is not attending duties, therefore, appropriate direction may be issued for initiating disciplinary action. Shri Vyas, learned counsel for the respondent submits that the respondent is not able to discharge her duties from 05.08.2016 because she has already undergone surgical procedure. It is made clear that reinstatement of respondent under the award is one thing but thereafter whether the respondent is deliberately avoiding to work or is not able to work because of sickness is a matter of consideration by the employer. These are matters subsequent to reinstatement of the respondent and has nothing to do with the present dispute. The employer is at liberty to examine the case of the respondent, consider leave application, if any filed by the respondent, on medical ground etc. and thereafter take appropriate decision in exercise of his power of employer. I.A. No.5 is accordingly disposed off. The matter be listed for final hearing. Sd/- (Manindra Mohan Shrivastava) Judge	
Rekha		