



2025:CGHC:5241



NAFR

HIGH COURT of CHHATTISGARH AT BILASPUR

WPL No. 89 of 2019

Smt. Munni Bai W/o Shri Lakhan Lal Sahu, Aged About 50 Years R/o Durga Tailor, Near Lic officer, Sindhi Colony, Champa, Police Station - Champa District Janjgir - Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
... Petitioner

versus

1 - State of Chhattisgarh Through - Secretary, Department of Water Resource, Mantralay, Atal Nagar, Raipur, District Raipur, Chhattisgarh. (Respondent No. 01 Was Not A Party Before The Learned Labour Court Has Been Impleaded As Respondent No. 1 Here In As It Is Necessary To Implead The State Government Through The Secretary of Concerned Department), District : Raipur, Chhattisgarh.

2 - Executive Engineer Minimata Bango Dam Division No. 3, Machadoli, Tahsil - Podi (Uproda) Koba District Korba Chhattisgarh.

3 - Sub Division officer Minimata Bango Subdivision No. 15, Etmanagar Bango, Tashil - Katghora, District Korba Chhattisgarh.

... Respondent(s)

For Petitioner : Mr. K.P.S. Gandhi, Advocate

For State : Mr. Abhyuday Tripathi, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

30/03/2026

1. The petitioner has filed this petition seeking the following relief:



“10.1 Hon'ble Court may kindly be pleased to call the record in case of 21/IDAct/2015 (Ref) Smt. Munni Bai Vs. Executive Engineer and other.

10.2 Hon'ble Court may kindly be pleased to set aside the order dated 13/04/2018 passed in case no. 21/IDAct/2015 (Ref) Smt. Munni bai Vs. Executive Engineer and other. or Hon'ble Court may kindly be pleased to direct respondent authority to reinstate the petitioner with full back wages.

10.3 Any other relief in the circumstances of the case may also be awarded.”

2. Learned counsel appearing for the petitioner would submit that the petitioner worked as a daily wage labourer under the respondents from the year 1984 till 1997. He would further submit that the services of the petitioner were discontinued contrary to the provisions of the Industrial Disputes Act, 1947, therefore, an application was moved by the petitioner before the Assistant Labour Commissioner. He would also submit that the matter was referred by the competent Government to the learned Labour Court after framing questions for determination.
3. He would argue that though the petitioner produced evidence to establish that he had worked for more than 240 days in a calendar year, but the learned Labour Court failed to answer the questions for determination framed by the competent Government vide order dated 02.11.2015; thus, the impugned award is bad in law.
4. On the other hand, learned counsel appearing for the State would submit that the learned Labour Court has decided the issues framed and recorded categorical finding that the petitioner never worked as a daily wage labourer under the respondents; thus, the statement of claim was rightly rejected.
5. Heard.
6. It appears that the statement of claim of the petitioner has been rejected on the ground that the petitioner was never engaged in the



Mini Mata Dam Project. However, the learned Labour Court failed to answer the questions for determination referred by the competent Government.

7. Admittedly, vide letter dated 02.11.2015, the matter was referred to the concerned Labour Court with two questions for determination, but the learned Labour Court failed to answer those questions, therefore, the award dated 13.04.2018 passed by the learned Labour Court is unsustainable and is hereby **set aside**. The matter is remitted back for fresh adjudication.
8. The learned Labour Court is directed to decide the questions for determination framed by the competent Government after affording sufficient opportunity of hearing to the parties.
9. The parties are directed to remain present before the learned Labour Court on 15.05.2026.
10. Accordingly, the petition is **allowed**. No order as to costs.

Sd/-

Rakesh Mohan Pandey

JUDGE

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