



2026:CGHC:21559-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WA No. 409 of 2026**

1 - Deepak Sahu S/o. Shri A.S. Sahu Aged About 54 Years Aged About 52 Years, (Now 54 Years) R/o. Qr. No. 231, Md. Face 4 Housing Board Colony, Kabir Nagar, P.S. Kabir Nagar, Raipur, District- Raipur Chhattisgarh.

... Appellant(s)**versus**

1 - State Of Chhattisgarh Through Secretary, Health And Family Welfare Department, Mantralaya Mahanadi Bhavan, New Raipur, Police Station Rakhi, District- Raipur Chhattisgarh.

2 - Director Health Services Department Mahanadi Bhavan, New Raipur, Police Station Rakhi, District- Raipur Chhattisgarh.

3 - Executive Director State Health Resource Center C.G. State Health Training Center Building, Kalibadi, Raipur Chhattisgarh.

4 - Mr. Komal Dewnagan S/o. Late Jawahar Lal Dewangan Aged About 53 Years Posted As Programme Coordinator State Health Training Center Building, Near Bijli Office Chauk Kalibadi, Raipur Chhattisgarh.

... Respondent(s)

For Appellant(s) : Mr. Raj Kumar Gupta, Advocate.

For Respondent(s) : Mr. Soumya Rai, Dy. Govt. Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Ravindra Kumar Agrawal, Judge

Judgment on Board**Per Ramesh Sinha, Chief Justice****08/05/2026**



1. Heard Mr. Raj Kumar Gupta, learned counsel for the appellant as well as Mr. Soumya Rai, learned Govt. Advocate, appearing for the Respondent/State.
2. The appellant has filed this writ appeal against the order dated 17.03.2026 passed by the learned Single Judge in W.P.(L) No. 148 of 2023 (*Deepak Sahu vs. State of Chhattisgarh & Others*), whereby the learned Single Judge has dismissed the writ petition filed by the writ petitioner/appellant. Thereafter, the writ appellant prefer the instant appeal before this Court with the following prayer:-
 - i. To Kindly set aside the impugned order dated 17.03.2026 passed by the Hon'ble Single Judge in W.P.L. 148 of 2023, as it has resulted in grave prejudice to the appellant;
 - ii. To Kindly allow the writ petition of the appellant.
 - iii. To Kindly pass such further or other orders as this Hon'ble Court may deem fit, just, and proper in the facts and circumstances of the case, in the interest of justice.”
3. The brief facts of the case are that the appellant was appointed on contractual basis as Senior Programme Coordinator (Admin & Finance) under the State Health Resource Centre (SHRC), Raipur, and continuously discharged his duties from 2012 onwards with satisfactory performance, due to which his contractual engagement was periodically renewed. Initially, vide agreement dated 01.04.2015, his contract was extended up to 31.03.2016, however, subsequently, under alleged coercion and



assurance of future continuation, he was compelled to execute another agreement curtailing the tenure up to 31.07.2015. Thereafter, even before expiry of the curtailed period, the respondents discontinued the appellant from service and appointed the private respondent in his place vide order dated 27.07.2015. Aggrieved thereby, the appellant preferred an application under Section 2A of the Industrial Disputes Act, 1947 before the Labour Court, Raipur, which was dismissed on 14.07.2023 holding that the respondent institution does not fall within the ambit of "industry". The appellant thereafter filed W.P.(L) No. 148 of 2023, which also came to be dismissed vide order dated 17.03.2026, wherein the learned Single Judge held that the appellant, being a contractual employee, was not entitled to continuation beyond the contractual period and that the case was covered under Section 2(oo)(bb) of the Industrial Disputes Act, 1947. Being aggrieved by the aforesaid orders and contending that the curtailment of his contractual tenure and premature discontinuance were arbitrary, mala fide and illegal, the appellant has preferred the present appeal.

4. Learned counsel for the appellant submits that the impugned order passed by the learned Single Judge is contrary to the facts available on record as well as the settled principles governing the applicability of the Industrial Disputes Act, 1947. It is contended that both the learned Labour Court and the learned Single Judge committed a manifest error in holding that the provisions of the



Industrial Disputes Act are not applicable merely because no manufacturing activity is carried on by the respondent institution. It is argued that the definition of “industry” under Section 2(j) of the Act has been given a wide and liberal interpretation by the Hon’ble Supreme Court and is not confined only to manufacturing establishments. Learned counsel further submits that once the applicability of the Industrial Disputes Act was accepted, the learned Single Judge ought to have set aside the order of the Labour Court and remanded the matter for adjudication on merits instead of affirming the dismissal of the appellant’s claim.

5. It is further submitted that the learned Single Judge has also erred in applying Section 2(oo)(bb) of the Industrial Disputes Act, 1947 without appreciating that the present case is not one of simple non-renewal of a contractual appointment, but relates to premature termination of the appellant during the subsistence of the extended contractual period and his replacement by another person. Learned counsel submits that though the appellant’s contractual engagement was initially extended up to 31.03.2016, he was subsequently compelled under coercion and undue influence to execute another agreement reducing the tenure up to 31.07.2015. It is argued that the respondents failed to specifically deny the allegations regarding coercion, premature termination and replacement of the appellant, and therefore such pleadings ought to have been deemed admitted. It is thus contended that the action of the respondents is arbitrary, mala fide, violative of



Article 14 of the Constitution of India, and has resulted in grave miscarriage of justice warranting interference by this Court.

6. On the other hand, learned counsel for respondents opposes the submissions made by the learned counsel for the appellant and submits that the learned Single Judge after considering all the aspects of the matter has rightly dismissed the writ petition filed by the writ petitioner / appellant herein, in which no interference is called for.
7. We have heard learned counsel for the parties and perused the impugned order and other documents appended with writ appeal.
8. From perusal of the order passed by the learned Single Judge, it appears that the learned Single Judge has duly considered the nature of appointment of the appellant, who was admittedly engaged on contractual basis as Senior Programme Coordinator under the respondent authorities. The learned Single Judge has also taken into consideration the fact that the contractual engagement of the appellant was extended from time to time and ultimately came to an end on 31.07.2015, after which another person was appointed on the said post. The learned Single Judge, after considering the provisions contained under Section 2(oo)(bb) of the Industrial Disputes Act, 1947, has rightly held that termination or discontinuation of service consequent upon expiry or non-renewal of a fixed-term contractual appointment does not fall within the ambit of “retrenchment”.



9. The contention of the appellant that his services were discontinued prior to expiry of the contractual period and that another person was appointed in his place has also been considered by the learned Single Judge. However, from the material available on record, no illegality or arbitrariness is made out so as to warrant interference in exercise of appellate jurisdiction. The findings recorded by the learned Labour Court, as affirmed by the learned Single Judge, are based upon proper appreciation of the facts and settled legal principles governing contractual employment. Merely because the appellant was engaged for a considerable period by way of successive contractual extensions would not confer any indefeasible right of continuation in service beyond the contractual tenure.
10. In view of the aforesaid facts and circumstances of the case, we are of the considered opinion that the learned Single Judge has not committed any error of law or jurisdiction while dismissing the writ petition filed by the appellant. We do not find any ground warranting interference with the impugned order passed by the learned Single Judge.
11. Accordingly, the writ appeal being devoid of merit is hereby **dismissed**. No order as to costs.

Sd/-

(Ravindra Kumar Agrawal)
Judge

Sd/-

(Ramesh Sinha)
Chief Justice