

**(2019) 10 CHH CK 0019**

**Chhattisgarh High Court**

**Case No:** Writ Petition (L) No. 210 Of 2019

Dhani Ram Verma And Ors

APPELLANT

Vs

Executive Engineer Public Works  
Department And Ors

RESPONDENT

**Date of Decision:** Oct. 1, 2019

**Hon'ble Judges:** P. Sam Koshy, J

**Bench:** Single Bench

**Advocate:** Shikhar Sharma, Anshuman Shrivastava

**Final Decision:** Disposed Of

**Judgement**

P. Sam Koshy, J

1. The challenge in the present Writ Petition is to the order passed by the Labour Court, Rajnandgaon in Case No. 35/ID Act/2017/Reference dated

11.04.2019( Annexure P-1). Vide the said impugned order, the Learned Labour Court has rejected the dispute holding it to be not maintainable, as the

dispute has been raised in a group.

2. The cause of action under challenge before the Labour Court was the order of alleged termination of services, which took place in January, 2015 in

respect of the workers who have raised the dispute. The finding of the Labour Court is that, since the dispute raised is an individual dispute, the same

could not be questioned in a group. The Court finds that the petitioners have to challenge their respective order of termination independently.

3. The individual dispute cannot be raised in a group and has rightly been held to be not maintainable by the Labour Court. This Court is also of the

opinion that the view expressed by the Labour Court is not in any manner bad-in-law. Moreover, the case has been held to be not maintainable on the technical ground of it being raised in a group, it would not preclude the individual worker including the petitioners in raising a new dispute before the appropriate Labour Court under the provisions of the Industrial Disputes Act, 1947.

4. Accordingly, reserving the right of the petitioners to raise their grievances individually before the concerned Labour Court, the present Writ Petition stands disposed off affirming the order passed by the Labour Court, Rajnandgaon.

5. It is made clear that subject to the petitioners raising their dispute individually, the award passed by the Labour Court dated 11.04.2019 in Case No.

35/ID Act/2017/Reference would not come in their way. Nor can it be construed from being barred under the principles of res-judicata.

6. With the aforesaid directions, the present Writ Petition stands disposed off.