



2026:CGHC:16787

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPL No. 177 of 2017

- Smt. Manju Rawani W/o Krishna Murari Rawani, R/o Sheetla Ward, Ambikapur, District Surguja, Chhattisgarh

... **Petitioner**

versus

1. State Of Chhattisgarh Through the Secretary, Department Of Water Resources, Mahanadi Bhawan, Mantralaya New Raipur, Post Office & Police Station Naya Raipur, District Raipur, Chhattisgarh
2. The Engineer-In-Chief, Water Resources Department, Civil Line, Raipur, Chhattisgarh
3. The Chief Engineer, Hasdeo Kachhar, Water Resources Department Sakri Bilaspur, Chhattisgarh
4. The Executive Engineer M/ E, Light, Machinery, Tube Well And Gate Division Riva M.P.
5. The Sub Divisional Officer M/ E, Light, Machinery, Tube Well And Gate, Sub Division, Gandhi Nagar, Ambikapur, District Surguja, Chhattisgarh
6. The Sub Divisional Officer M/ E, Light, Machinery, Tube Well And Gate, Sub Division Sidhi M.P.
7. The Labour Court, Ambikapur, District Surguja, Chhattisgarh, Through Its Presiding Officer

... **Respondent(s)**

For Petitioner	:	Mr. Sahid Ahmed Ansari, Advocate
For State	:	Mr. Anil S. Pandey, Government Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

13.04.2026

1. This petition has been preferred by the workman against the award passed by the learned Labour Court, Ambikapur in Case No. 66/I.D.ACT/REF./2009 dated 21.03.2017, whereby reference was answered in negative and



statement of claim was dismissed.

2. The facts in brief are that services of workman/petitioner was discontinued on 30.08.1983, and thereafter, an application was moved before the Assistant Labour Commissioner. The competent Government referred the matter to the concerned Labour Court on 10.12.2009. The workman filed statement of claim wherein she pleaded that she was deployed on the post of Copyist on daily wage under the respondents in the year 1979. She worked their till 1983, and thereafter, her services were discontinued. She pleaded that a decision of discontinuation of service was taken by the respondent authorities contrary to the provisions of Industrial Dispute Act, 1947. The respondent/employer filed reply and took a plea that the workman was never engaged by department and she never worked continuously for 240 days. The learned Labour Court framed issues, parties led evidence, and thereafter, award was passed.
3. Learned counsel for the petitioner would submit that the petitioner has worked for 240 days in a calendar year and in this regard certificate dated 18.07.1983, has been exhibited before the learned Laoubr Court but same has not been considered. He would contend that the learned Labour Court has committed error in holding that the statement of claim is time barred. He would contend that there is no period of limitation prescribed under the Industrial Dispute Act, 1947. He would pray to set-aside the award dated 21.03.2017.
4. On the other hand, learned counsel appearing for the State would oppose. He would further submit that the petitioner failed to prove that she had worked for period of 240 days in a calendar year. He would submit that the services



of the petitioner were discontinued in the year 1983, whereas, application was moved before the Assistant Labour Commissioner in the year 2008 after lapse of 25 years. He would submit that instant petition deserves to be dismissed.

5. I have heard learned counsel for the parties and perused the documents placed on record.
6. In support of claim, the workman examined herself and exhibited a letter issued by Sub-Divisional Officer, Light Machinery, Sub-Division Ambikapur addressed to Sub-Engineer, whereby direction was issued to discontinue services of daily wage employees. Ex. P/2 is a salary slip, wherein, it is stated that the petitioner worked for more than 90 days in month of June, 1979, Ex P/3 is a certificate issued by Sub-Divisional Officer dated 18.07.1983, wherein, it is stated that she worked for period of 4 years with effect from June, 1979 on daily wage. It appears that application was moved to place on record relevant documents with regard to engagement of petitioner with department. Vide Ex. P/6, it was informed by the Sub-Divisional Officer to the Presiding Officer of learned Labour Court that no such document was available with the department.
7. Perusal of documentary evidence would reveal that workman failed to establish the fact that she worked for 240 days in a calendar year. The second flaw in the claim of the petitioner is that she approached the Labour Court after expiry of 25 years without explaining sufficient reasons for delay. Though no period of limitation was prescribed in Section 2A(3) of Industrial Dispute Act, 1947, but on 15.09.2010 by way of amendment in the Section 2A(3) of Industrial Dispute Act, 1947 three years of period of limitation has



been prescribed to approach the learned Labour Court. In the present case, though services of the petitioner were discontinued in the year 1983, but she approached the learned Assistant Labour Commissioner or the learned Labour Court in the year 2009-10, and thus, the workman failed to explain sufficient cause for delay, therefore, the learned Labour Court rightly dismissed the statement of claim preferred by the petitioner and decided the reference in negative.

8. Accordingly, this petition fails and is hereby **dismissed**.

Sd/-
(**Rakesh Mohan Pandey**)
JUDGE

Siddhant