The High Court Of Madhya Pradesh

WP-10642-2018

(SURENDRA KUMAR TIWARI** Vs **MADHYA PRADESH PURVA KSHETRA VIDYUT VITRAN COMPANY LIMITED)

Jabalpur, Dated : 28-08-2018

Shri S.P. Verma, learned counsel for the petitioners.

Heard on admission.

The petitioners before this Court, who are presently posted as Meter Reader at District Chhattarpur, are seeking direction against the respondents.

The contention of the petitioners is that they are employed on contractual basis, which was renewed from time to time and the same is going to expire on 09/08/2018, 10/08/2018, 16.08.2018 and 31/08/2018 respectively. It is contended by the petitioners that they are entitled to be regularized on the said post and in similar circumstances the other employees whose contract had also expired, approached to this Court filing in various writ petitions, one of the Writ Petition is decided vide order dated 11.7.2016 and the Court has observed as under:

> â€œPetitioners are directed to institute the proceedings before the Labour Court for the relief claimed in the writ petitions as early as possible, not later than three months from today. If the said claims are made within the aforesaid period, the Labour Court shall be well advised to decide the said claim as early as possible preferably within a period of one year."

In pursuance to the aforesaid directions, the petitioners of those petitions have submitted their application before the Labour Court, which has been entertained and the stay has been granted by the Labour Court on 17.10.2016. It is further contended that presently the Presiding Officer of the Labour Court, Sagar is not available as the post is still vacant, and even if the petitioners submit an application for stay, the same would not be entertained due to non-availability of Presiding Officer of the Labour Court. In such circumstances, the petitioners have prayed that they may be allowed to submit an application for stay before the Labour Court and till the application is decided by the Labour Court, they may be allowed to continue on their post, since other persons are already working on

their respective post on the basis of stay order granted by the Labour Court.

Considering the parity, the prayer made by the petitioners appears to be reasonable.

In the circumstances, without entering into the merit of the case, this petition is disposed of with a direction to the petitioners to submit an appropriate application before the Labour Court, Sagar within two weeks from today and if such application is filed within the aforesaid period, the respondents shall allow the petitioners to work on their respective post till the petitioners' application for stay is decided by the Labour Court.

Certified copy as per rules.

(NANDITA DUBEY)
JUDGE

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THE HIGH COURT OF MADHYA PRADESH
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