

Western Coalfields Limited vs Rashtriya Koyla Khadan Mazdoor Sangha on 10 January, 2020

Bench: Sanjay Kishan Kaul, K.M. Joseph

ITEM NO.38+43

COURT NO.12

SECTION IX

S U P R E M E C O U R T O F
RECORD OF PROCEEDINGS

I N D I A

Item No.38:

Petition(s) for Special Leave to Appeal (C)

No(s). 19984/2019

(Arising out of impugned interim order dated 08-03-2019 in WP No. 5320/2017 passed by the High Court of Judicature at Bombay, Bench at Nagpur)

WESTERN COALFIELDS LIMITED & ANR.

Petitioner(s)

VERSUS

RASHTRIYA KOYLA KHADAN MAZDOOR SANGHA & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.119311/2019-CONDONATION OF DELAY IN FILING and IA No.119312/2019-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

With

Item No.43:

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 43947/2019

(FOR ADMISSION and I.R. and IA No.2419/2020-CONDONATION OF DELAY IN FILING and IA No.2420/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 10-01-2020 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE K.M. JOSEPH

For Petitioner(s)

Mr. Tushar Mehta,SG
Mr. Uddyam Mukherjee,Adv.
Mr. Krishnayan Sen, AOR
Ms. Madhurika Ray,Adv.

Mr. K.M.Nataraj,ASG
Mr. Rajan Kumar Chourasia,Adv.
Mr. Sharath Nambiar,Adv.
Mr. Vinayak Sharma,Adv.
Ms. Indra Bhakar,Adv.
Ms. Shreekantha P.S.,Adv.
Mr. Shailesh Madiyal,Adv.

For Mr. Gurmeet Singh Makker, AOR

For Respondent(s)
Signature Not Verified

Digitally signed by
ANITA MALHOTRA
Date: 2020.01.13

17:46:41 IST
Reason:

Mr. S.B.Upadhyaya,Sr.Adv.

Mr. Neeraj Shekhar, AOR

Mr. Sumit Kumar,Adv.

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Mr. K.M.Nataraj,ASG
Mr. Shailesh Madiyal,Adv.
Mr. Sharath Nambiyar,Adv.
Mr. R.K.Chaurasiya,Adv.
For Mr. Gurmeet Singh Makker, AOR

Ms. Mayuri Raghuvanshi, AOR
Mr. Vyom Raghuvanshi,Adv.
Mr. Akshat Singh,Adv.

Mr. Ashutosh Thakur,Adv.
Mr. Animesh Kumar,Adv.
Ms. Namita Chaudhary,Adv.

Mr. S.B.Tripathi,Adv.
Mr. Prakash Kumar Singh, AOR

UPON hearing the counsel the Court made the following
O R D E R

Delay condoned.

We may note at the threshold that the present order is an interim order.

Learned Solicitor General appearing for the petitioners submits that the problem is arising on account of three of the groups, all claiming to be the real INTUC. The inter-se disputes between the rival groups is pending consideration in a Civil Suit before the Delhi High Court being C.S.(O.S.) No.384/2019.

Learned Solicitor General submits that the only difficulty is that if the check off facility is offered to the workers and amount deducted as to which of the three should be the beneficiary of the amount so deducted.

In our view, it will be for the parties to move the High Court on the Original Side for claiming whatever directions from the High Court in this behalf. This liberty is equally available to the petitioners qua the amount so deducted since the submission made before us is that the amount should be deposited in Court and it is for the Court to take a call on the issue. This again would be an aspect to be considered by the concerned court for which the petitioners are at liberty to move the necessary application.

Whatever application has to be filed by the parties, needful be done within three weeks from today. A call will be taken on the Original Side by the High Court uninfluenced by any observation made in the impugned order.

The contempt proceedings would continue to be stayed till the High Court takes a call on it.

The special leave petitions are disposed of in the above terms.

Pending applications shall also stand disposed of.

(ANITA MALHOTRA)
COURT MASTER

(VIRENDER SINGH)
COURT MASTER