

ITEM NO.19

COURT NO.15

SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 6766/2023

(Arising out of impugned judgment and order dated 20-01-2023 in WP No. 4074/2018 passed by the High Court of Judicature at Bombay at Nagpur)

WESTERN COALFIELDS LIMITED

Petitioner(s)

VERSUS

KU. SHIMLA & ORS.

Respondent(s)

(IA No.68080/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.68081/2023-EXEMPTION FROM FILING O.T.)

Date : 13-04-2023 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. Sumit Teterrwal, AOR (through VC)

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

Mr. Sumit Teterrwal, the learned counsel would submit that by virtue of the definition of "Dependant" in clause 9.3.3 of Chapter IX in the Joint Bipartite Settlement dated 03.04.1997, a sister of a deceased employee is excluded. The counsel submits that the definition of "Dependant" for the employees, have not been altered for last several decades notwithstanding multiple settlements arrived at between the coal companies and the trade unions. The counsel would further submit that interpreting the very same clause 9.3.3, the Calcutta High Court has denied relief to a similarly situated female dependant of a deceased employee.

Issue notice, returnable in four weeks.

(NITIN TALREJA)
COURT MASTER (SH)

(KAMLESH RAWAT)
ASSISTANT REGISTRAR