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SLP(C)No. 448-454 OF 2002

ITEM No.28

Court No. 5

SECTION XIA
A/N MATTER

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 (Civil) Nos.448-454/2002

(From the judgement and order dated 29/11/2001 in WA 3146/2001,
WA 3482/2001, WP 483/2001,WA 487/2001,WA 1276/2001,WA 1777/2001
and WA 2440/2001 of The HIGH COURT OF KERALA AT ERNAKULAM)

KERALA STATE ROAD TRPT. CORPN. LTD.

Petitioner (s)

VERSUS

N. RAMANAN NAIR & ORS.

Respondent (s)

(With Appln(s). for intervention, Appln. for Intervention/Impleadment
permission to submit additional document(s), prayer for interim
relief and office report)

Date : 29/08/2002 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SYED SHAH MOHAMMED QUADRI
HON'BLE MR. JUSTICE S.N. VARIAVA

For Petitioner (s) Mr. Harish N. Salve,SG.
Mr. Haris Beeren,Adv.
for M/s. Lawyer's Knit & Co.,Advs.

For Respondent (s) Mr. P.P. Rao,Sr.Adv.
Mr. K.P. Rajeevan,Adv.
Mr. B.V. Deepak,Adv.

Mr. C.S. Rajan,Sr.Adv.
Mr. M.T. George,Adv.

Mr. Sanjay Parikh,Adv.
Mr. Abinash K. Misra,Adv.
Mr. R.R. Chaturvedi,Adv.
Mr. A.N. Singh,Adv.

Mr. Ramesh Babu M.R.,Adv.

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

.....L.....I..T.....T.....T.....T.....T.....T.....T.....J
Heard Mr. Harish N. Salve, learned Solicitor
General, for the appelland and Mr. P.P. Rao, learned senior
counsel for the respondent.

Application for permission to submit additional
documents is allowed.

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Leave is granted.

Our attention has been invited to the order passed by the High Court on 18th October, 2001. The High Court issued the following directions:

.....H....LT.....T.....T.....T.....T.....T.....J

- "1. The Corporation would earmark 10% of the daily collection for disbursement of retirement benefits to its employees and the said amount would be kept in a separate Treasury account or otherwise bearing maximum interest and retirement benefit due be disbursed from that fund.
- 2. Corporation shall not divert hereafter any contribution made by the existing employees towards provident fund for any other purpose without getting orders from this Court.
- 3. Corporation would file a periodical statement before this court every month stating the amount lying in the account on the basis of the above direction and the amount disbursed.
- 4. Corporation would keep a register of districtwise and also Statewise and the amount would be disbursed to the pensioners strictly on the basis of the Statewise register kept by them. After disbursing the amount every month a statement would be filed before this Court.
- 5. The retirement benefits would be disbursed strictly on the basis of the date of retirement, unless otherwise ordered by the order of this Court.
- 6. A copy of this order shall be served on the Director of Treasuries. He shall ensure that no amount is drawn from the Account mentioned in direction (1) above, except for the purpose of disbursing pensionary claims. This Account shall not be subject to any attachment or treasury ban. The amounts in P.F. Account shall be utilised only for satisfying P.F. claims of existing/retired employees."

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The interim order passed by this Court on 11th January, 2002 is modified in the above terms. The order, extracted above, shall operate during the pendency of the appeals.

Liberty is granted to mention before the Hon'ble the Chief Justice for an early date of hearing.

Issue notice on the applications for impleadment and intervention. They shall be listed along with civil appeals arising out of S.L.P. (C) Nos.448-454 of 2002.

(T.I. Rajput)
Court Master

(Kanwal Singh)
Court Master