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SLP(C)No. 3716 OF 2004
ITEM No.67

Court No. 7

SECTION XV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No.3716/2004

(From the judgement and order dated 17/10/2003 in WA 3168/02
of The HIGH COURT OF MADRAS)

RAILWAY BOARD & ANR.

Petitioner (s)

VERSUS

SOUTHERN RAILWAY MAZDOOR UNION & ORS.

Respondent (s)

(With prayer for interim relief and office report)
With

SLP(C)No.3780/2004
Alongwith the paper-books of SLP(C)No.23578/2003

Date : 08/03/2004 These Petitions were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE RUMA PAL
HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner (s) Mr.K.N.Rawal,SG
Mr.Vipin Sanghi,Adv.
Mr. Shreekant N. Terdal,Adv.

Ms.Indira Jaisingh,Sr.Adv.
Mr.Bharat Sangal,Adv.
Mr.Sanjay Ghosh,Adv.
Ms.Sangeeta Panicker,Adv.
Mr.R.R.Kumar,Adv.

For Respondent (s) Mr.Harish N.Salve,Sr.Adv.
Mr.Muthukumara Samy,Adv.
Mr.G.Umapathy,Adv.
Mr. Rakesh K. Sharma,Adv.

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

We see no reason to interfere with the decision of the High Court. In fact, the earlier SLP filed at the instance of another trade union had been dismissed by this Court. The High Court's reasoning for requirement of 30% membership exclusively for the membership of the Union is upheld. The High court has correctly relied upon the decision of this Court in Food Corporation of India Staff Union versus Food Corporation of India reported in AIR 1995 SC 1344 to hold that the method was a natural, rationale and viable alternative. The SLPs are, accordingly, dismissed.

(USHA BHARDWAJ)
P.S. TO REGISTRAR

(MADHU SAXENA)
COURT MASTER

