

ITEM NO.3

COURT NO.10

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

I.A. 5-6/2016 in Civil Appeal No(s). 1718-1719/2001

CENTRAL AGRICULTURAL RESEARCH INST.&amp; ANR.

Appellant(s)

VERSUS

PRESIDING OFFICER, LABOUR COURT &amp; ORS.

Respondent(s)

(for modification/clarification of court's order dated 03.04.2002 and office report)

Date : 29/04/2016 These applications were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH  
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Appellant(s) Mr. R. K. Singh, Adv.  
Mr. Virag Gupta, Adv.  
Mr. Salil Kapoor, Adv.  
Mr. Praveen Swarup, Adv.

For Respondent(s) Ms. Sangeeta Kumar, Adv.  
Mr. Vijay Kumar, Adv.  
Ms. Vithika Garg, Adv.

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

We find that for the last 16 years, the appellant has been paying wages to the contesting 10th Respondent under Section 17B, without extracting any work from him. The question of law to be decided in this case is whether the appellant would be an industry in terms of definition under Section 2(j) in the Industrial Disputes Act, 1947 and that issue is pending before the Larger Bench of this Court. We are of the view that subject to the decision on the Reference pending before the larger bench, it would be in the interest of the appellant to reinstate the contesting 10th Respondent and extract work from him.

The learned counsel appearing for the appellants seeks some time to get instruction.

List on 04.05.2016.

(Jayant Kumar Arora)  
Sr. P.A.

(Renu Diwan)  
Court Master