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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
RECORD OF PROCEEDINGS

I.A. 5-6/2016 in Civil Appeal No(s). 1718-1719/2001
CENTRAL AGRICULTURAL RESEARCH INST.& ANR. Appellant(s)

VERSUS

PRESIDING OFFICER, LABOUR COURT & 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.

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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