

.&ITEM NO.2

COURT NO.9

SECTION X

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

WRIT PETITION (CIVIL) NO(s). 337 OF 2001

B.S.R.T.C.RET./DECEASED EMP.S.MORCHA&ORS

Petitioner(s)

VERSUS

STATE OF BIHAR & ANR.

Respondent(s)

(With appln(s) for interim directions and office report )  
(For final disposal)

With C.A.No.7290 of 1994

(With appln.(s) for impleading party and recalling the Court's  
Order and directions and implementation of Court's Order and office  
report)  
(For final disposal)

SLP(C) No.4693 of 2001

(With appln.(s) for stay of the dissolution of Bihar State Road  
Transport Corporation)  
(For final disposal)

With

Contempt Petition(C) No.342 of 2004 in C.A.No.7290 of 1994  
(For final disposal)

With

Contempt Petition(C) No.541 of 2004 in C.A.No.7290 of 1994  
(For final disposal)

With

SLP(C) No.24378 of 2004  
(For final disposal)

Date: 27/01/2011 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY  
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For the appearing parties :

Mr. M.Z. Chaudhary, adv.  
Mr. Shoaib Ahmad Khan, Adv.  
Mr. Anis Ahmed Khan, Adv.

Mr. Braj Mishra, Adv.  
Ms. Aparna Jha, adv.  
Mr. Abhishek Yadav, Adv.

Mr. Vikram Patralekh, Adv.

Mr. Gopal Singh, Adv.

Mr. Rakesh K. Khanna, Sr.Adv.  
Mr. Akhilesh K. Pandey, Adv.  
Ms. Sunita R. Singh, Adv.  
Ms. Shefali Jain, Adv.  
Mr. Ajai Jain, Adv.  
Ms. Seema Rao, Adv.  
Mr. Rajesh Prasad Singh, Adv.

Mr. Shrish Kumar Misra, Adv.

Mr. Irshad Ahmad, Adv.

Mr. Himanshu Shekhar, Adv.

Mr. Ashok Mathur, Adv.

Mr. Praveen Swarup, Adv.

Mr. R.K. Rathore, Adv.

Ms. Rekha Pandey, Adv.

Mr. N.S. Pundhir, Adv.

Mr. Harish Khinchi, adv.

Mr. R.S. Nagar, Adv.

Mr. D.S. Mahra, Adv.

Mr. C.D. Singh, Adv.

Mr. Ranbir Singh Yadav, adv.

Mr. D.N. Goburdhan, adv.

Mr. K.K. Tyagi, Adv.

Mr. P. Narasimhan, Adv.

Mr. Manish Kumar Saran, adv.

Mr. Krishnanand Pandeya, Adv.

Mr. Naresh Kumar, Adv.

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

In the affidavit dated 12th October, 2010 filed by

the State of Bihar, it is inter alia stated that the

balance liability of Rs.121.35 Crores shall be made  
available in the next financial year at the earliest.

There is no dispute whatsoever that the said sum of

Rs.121.35 Crores is the final amount required to be paid

by the State of Bihar. In the circumstances, there shall

be a direction to the State of Bihar directing it to

deposit the said sum of Rs.121.35 Crores by the end of

June, 2011. There shall be an order accordingly.

In the affidavit filed on behalf of the Bihar State

Road Transport Corporation (B.S.R.T.C.), it is asserted

that a further sum of Rs.55.91 Crores is liable to be paid

by the State of Jharkhand in terms of the Award passed by

the Arbitrator. However, the learned counsel for the

State of Jharkhand submits that this amount of Rs.55.91

Crores is subject to the verification of audit reports to

be submitted by the State Road Transport Corporation.

In

the circumstances, the B.S.R.T.C. is directed to furnish the audited accounts duly reflecting the payments made by it to the staff during 1.7.2004 to 28.2.2009 within a period of four months from today.

The B.S.R.T.C. shall further state and inform the State of Jharkhand as to the total amount of money liable to be paid by it to the Corporation.

The State of Jharkhand shall, within eight weeks from the date of furnishing of such information and the audited accounts shall deposit the said amounts. There shall be an order accordingly.

It is stated by the learned counsel for the B.S.R.T.C. that an amount of Rs.93.67 Crores lying in deposit with them shall be disbursed to the workmen by the end of March, 2011.

List these matters on 10th May, 2011 at the end of miscellaneous matters for further directions.

(Sukhbir Paul Kaur)  
Court Master

(Renuka Sadana)  
Court Master