

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

RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 1800-1802 OF 2004

EMPLOYEES STATE INSURANCE CORPORATION

Appellant (s)

VERSUS

GANGA TEXTILES LTD. ETC.

Respondent(s)

WITH Civil Appeal NO. 1803-1804 of 2004

Civil Appeal NO. 1805-1806 of 2004

Civil Appeal NO. 1807-1810 of 2004

Civil Appeal NO. 1811-1812 of 2004

Civil Appeal NO. 1813 of 2004

Civil Appeal NO. 7248-7250 of 2004

Civil Appeal NO. 7251-7252 of 2004

Civil Appeal NO. 7253-7255 of 2004

(With office report)

Date: 06/10/2005 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA

HON'BLE MR. JUSTICE P.K. BALASUBRAMANYAN

HON'BLE MR. JUSTICE P.P. NAOLEKAR

For Appellant(s)

Mr. C.S. Rajan, Sr. Adv.

Mr. V.J. Francis, Adv.

Mr. Anupam Mishra, Adv.

Mr. Jenis, Adv.

For Respondent(s)

Mr. E.C. Agrawala,Adv.

Mr. A.T.M. Sampath ,Adv

Mr. E.C. Agrawala

Mr. K.V. Vijayakumar

UPON hearing counsel the Court made the following

O R D E R

The appeals are disposed of in terms of the signed order.

(Ganga Thakur)

(Jasbir Singh)

PS to Registrar

Court Master

Signed order is placed on the file.

IN

THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 1800-1802 OF 2004

Employees State Insurance Corporation  
Appellant(s)

...App

Versus

Ganga Textiles Ltd. & Ors.  
Respondent

...Res

With Civil Appeal Nos. 1803-1804/04, 1811-1812/04, 1813/04,  
1805-1806/04, 1807-1810/04, 7248-7250/04, 7251-7252/04 and  
7253-7255/04

O R D E R

It is admitted position that all these matters are covered by the Judgment of this

Court in the case of Employees State Insurance Corporation Vs. Gnanambigai Mills Ltd.

reported in 2005(6)SCC 67. Respondents however contend that certain Authorities of this

Court and certain provisions of law were not considered by this Court before the Judgment in

Gnanambigai Mills case was pronounced. They, therefore, seek to re-argue those matters.

All these Appeals are against the same Judgment of the High Court. This Court

having already taken a decision, it must be followed. Therefore, all these matters stand

disposed of in terms of the directions given in the case (supra) reported in 2005(6) SCC 67.

At this stage Orders of this Court referring such disputes to the Committee for settlement of

dispute are shown to us. It is suggested that these matters also be referred to the Committee. In

our view no useful purpose would be served in following that course. Once this Court has taken

a decision, the Committee cannot take a contrary decision. It will, however, be open to the

Respondents to apply to the Committee for the relief of waiving penalty and interest. Such

applications, if made, will undoubtedly be considered on their own merit.

.....J.

(S.N. VARIA

VA)

.....J.

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BRAMANYAN )

(P.K. BALASU

.....J.

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.P. NAOLEKAR)

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New Delhi,

October 6, 2005.