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W.P(C)No. 84 OF 1999  
ITEM No.201

Court No. 2

SECTION X  
A/N MATTER

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.126/2000

M/S PPCL OFFICERS' ASSOCIATION & ANR.

Petitioner (s)

VERSUS

U.O.I. & ORS Respondent (s)  
( with appln. for directions) ( for final disposal )

With  
W.P(C)No.84/99,W.P(C)No.351/1999 ( for final disposal )

Date : 12/03/2003 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAJENDRA BABU  
E B.N. AGRAWAL  
HON'BLE MR. JUSTICE G.P. MATHUR

HON'BLE MR. JUSTIC

Mr. Vivek Singh, Adv.  
For Petitioner (s) Mr. Lakshmi Raman Singh,Adv.

Mr. Prashant chaudhary, Adv.

For Respondent (s) Mr. Annam D.N. Rao,Adv.

Mrs.Rekha Palli,Adv.

Mr.N.N. Goswami, Sr. Adv.  
Mr. S Wasim A Qadri, Adv.  
Mr. Shreekant N. Terdal,Adv.

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

WP(C) No.126/2000 stands dismissed in terms of the signed order .  
WP(C) Nos. 8499 & 351/99 stand dismissed in view of the order passed in WP(C) 136/2000.

[ Charanjeet Kaur ] Court Master

[ Om Prakash ]  
Court Master

[ Signed order is placed on the file ]  
IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C)NO.126 OF 2000

M/s PPCL Officers'Association & Anr.

..  
Petitioner (s)

Versus

U.O.I. & Anr.

..  
Respondent(s)

With WP(C) Nos.351/1999 & 84/1999

O R D E R

WP(C) No. 126/2000

It is submitted on behalf of the respondents that this matter is covered by the decision of this Court in A.K. Bindal & Anr. vs. Union of India & Ors. and connected matters reported in 2003 (5) SCC 163.

Learned counsel for the petitioners contended that the said decision is distinguishable from the facts and principles of law applicable in this case. He submitted that in those cases, this Court was concerned with the period from 1992 to 2000 and whereas in the present case we are concerned with the year, 2002. The learned counsel insisted that the company in question has the required financial capacity to pay the higher salary and it is evident from the fact that it could set up

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another plant and it has taken up an experiment pilot project which is only experimental in character and is not commercial enterprise and indeed there was salary revision on 1.1.1996 and again on 1.1.1997. Even so, the fact remains that the company in question has gone into liquidation pursuant to an order made by the BIFR and, therefore, in substance it does not make any difference from what we have stated in Bindal's case (supra) on the facts arising therein. Therefore, subject to what is stated therein, this petition stands dismissed.

WP(C) Nos. 84/1999 & 351/1999 stand dismissed in view of the order passed above.

.....J[ S. RAJENDRA BABU ]

.....J  
[ B.N. AGRAWAL ]

.....J [ G.P. MATHUR ]

NEW DELHI,  
MARCH 12,2004.