

ITEM NO.5

COURT NO.13

SECTION XIV

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

Petition(s) for Special Leave to Appeal (C) No(s). 10077/2013

[Arising out of impugned final judgment and order dated 03-01-2013
in WA No. 355/2012 passed by the Gauhati High Court]

ALL ASSAM CASUAL POWER WORKERS ASSOCIATION Petitioner(s)

VERSUS

THE STATE OF ASSAM POWER DEPARTMENT & ORS. Respondent(s)

IA No. 4/2017 - INTERVENTION APPLICATION)

WITH

SLP(C) No. 17684-17685/2013 (XIV)

SLP(C) No. 12623-12624/2013 (XIV)

IA No. 1/2013 - PERMISSION TO FILE PETITION (SLP/TP/WP/..)

Date : 21-11-2024 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. Parthiv K. Goswami, Sr. Adv.
Ms. Atiga Singh, Adv.
Mr. Vikash Singh, AOR
Mr. Piyush Vyas, Adv.
Mr. Abhishek Jaswal, Adv.

For Respondent(s) Mr. Shuvodeep Roy, AOR
Mr. Pravir Choudhary, AOR
Mr. Rahul Pratap, AOR

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

SLP(C) No. 17684-17685/2013

1. In compliance of our order dated 30.01.2024, an affidavit
has been filed by respondent nos. 2 to 4. The relevant portion
of the affidavit in paragraph 6 is extracted hereinbelow:

"6. That out of the 8 petitioners in the present proceedings being SLP (Civil) No. 17684-17685 of 2013, the petitioner nos. 2,4,7 and 8 are under regular employment of the Assam Power Distribution Company Limited. The respondent nos. 1, 3 and 5 have been given the benefit of enhanced pay in terms of the Office Order dated 02.12.2023 in terms of their years of service. Presently, all of them are drawing a fixed pay of Rs. 17,000/-, in terms of the said Office Order dated 02.12.2023. However, in respect of petitioner no. 6, no records could be found of him having ever worked under the Assam Power Distribution Company Ltd."

SLP(C) No. 12623-12624/2013

2. An affidavit has also been filed in this Special Leave Petition. The relevant portion of the affidavit is as under:

"6. That out of the 28 petitioners in the present proceedings being SLP (C) No. 12623-24 of 2013, the petitioner nos. 1, 2, 5, 12, 17 and 26 are under regular employment of the Assam Power Distribution Company Limited. However, in respect of petitioner no. 4, 19, 22 and 28, no records could be found of them working under the Assam Power Distribution Company Ltd. Concerning petitioner NO. 13, the individual was previously employed under BPSGD on a per bill basis, but is now engaged as a Meter Reader under a Contractor. As for petitioner No. 18, the individual is currently not employed with the APDCL. The remaining respondents have been given the benefit of enhanced pay in terms of the Office Order dated 02.12.2023 in terms of their years of service. Presently, all of them are drawing a fixed pay of Rs. 17,000/- in terms of the said Officer Order dated 02.12.2023."

3. Having considered the affidavits, Mr. Parthiv K. Goswami,

Sr. Advocate and other counsels appearing for the petitioners have submitted that the Special Leave Petitions can be disposed of in terms of the affidavit.

4. In view of the above, having considered the employment position of some of the petitioners as indicated in the affidavit, we dispose of the Special Leave Petitions in terms of the statements made thereunder.

5. Pending application(s) including intervention application shall stand disposed of.

(KAPIL TANDON)
COURT MASTER (SH)

(NIDHI WASON)
COURT MASTER (NSH)