

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). 592 OF 2005

R.S.R.T.C. & ANR.

Appellant (s)

VERSUS

UMRAV SINGH

Respondent(s)

(With prayer for interim relief and office report)

WITH Civil Appeal NO. 593 of 2005 - (With prayer for interim relief)

Civil Appeal NO. 594 of 2005

(With appln(s) for accepting English translation and with prayer for interim relief)

Civil Appeal NO. 596 of 2005 - (With prayer for interim relief)

Civil Appeal NO. 597 of 2005

(With appln(s) for accepting English translation and with prayer for interim relief and office report)

Civil Appeal NO. 600 of 2005

(With appln(s) for accepting English translation and with prayer for interim relief)

Date: 17/11/2005 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARIJIT PASAYAT

HON'BLE MR. JUSTICE TARUN CHATTERJEE

For Appellant(s)

Mr. Sushil Kumar Jain,Adv.

For Respondent(s)

Mr. D.K. Thakur,Adv.

Mr. S. Premchandra,Adv.

Mr. R.K. Singh,Adv.

Mr. Debasis Misra,Adv.

Mr. Aruneshwar Gupta,Adv.

Mr. Anis Ahmed Khan,Adv.

Mr. Parmanand Gaur,Adv.

UPON hearing counsel the Court made the following

O R D E R

The appeals are allowed in terms of the signed order.

(Neena Verma)

(Vijay

Aggarwal)

Court Master

Cour

t Master

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.592 OF 2005

Rajasthan State Road Transport Corporation and Anr.

...Appellants

Versus

Umrao Singh

...Respondent

WITH

Civil Appeal Nos.597/2005, 596/2005, 593/2005,

594/2005 and 600/2005

O R D E R

Having heard learned counsel for the parties, and keeping in view the

decision of this Court in Rajasthan State Road Transport Corporation & Ors. Vs.

Zakir Hussain (2005 (7) SCC 447), we allow all these appeals. Since it has been

held that the Civil Court had no jurisdiction to deal with the matter and it was

only the Industrial Court which had the jurisdiction, it would be appropriate if the

disputes raised by the respondent in each appeal is referred to the appropriate

Industrial Court by the State Government within two months from the date of

receipt of our order. Learned counsel for the parties agree that they shall bring to

the notice of the State Government a copy of our order within two weeks from

today. The State Government, on the peculiar circumstances of the case, shall

make a reference which the Industrial Court shall make an endeavour to dispose

of within six months from the date of receipt of the reference. Though, in normal

course, it is for the State Government to decide whether a reference is called for, in

view of the peculiar circumstances of the case, we are giving the aforesaid

direction.

The Status-quo so far as the respondents are concerned, shall be

maintained until disposal of the matter by the Industrial Court.

By giving this interim direction, it shall not be construed as if we have

expressed any opinion on the merits of the case. It goes without saying that when

the reference is made, the Industrial Court shall deal with the matter in accordance

with law and decide the matter in its proper perspective. Any observations made

by the High Court on merits shall not be construed to be binding on the Industrial

Court when the matter is taken up afresh.

The appeals are, accordingly, allowed.

.....J.

( ARIJIT PASA

YAT )

.....

.....J.

( TARUN CHATTE

RJEE )

New Delhi,

November 17, 2005.