

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
IA 1/2013 in CIVIL APPEAL NO. 8236 OF 2003

STATE OF UTTARANCHAL

Appellant (s)

VERSUS

PRANTIYA SINCHAI EVAM BANDH YOJANA

Respondent(s)

(With appln(s) for directions and office report)

Date: 09/09/2013 This Appln. was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE GYAN SUDHA MISRA
HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE

For Appellant(s)

Ms. Rachana Srivastava, Adv.
Mr. Utkarsh Sharma, Adv.

For Respondent(s)

Ms. S. Janani, Adv.
Mr. Deepak Goel, Adv.
Mr. Sunando Raha, Adv.

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

The respondents-workmen have filed this application seeking direction to the appellant to pay regular wages as applicable to the other workmen of the State. However, counsel representing the Appellant has resisted and submitted that the respondents are workmen through the contractor and they are getting wages as paid by the contractor. It is thus obvious that the whole controversy in this appeal is whether the respondents-workmen should be treated as workmen of the State as they are employed through the contractor. Unless this question is decided by this Court, which is subjudice, the prayer made in the application cannot be allowed. IA no. 1 is, therefore, rejected.

However, if the services of the respondents-workmen have not been dispensed with, they would be at liberty to claim their wages through the contractor and the State shall use its good offices for ensuring that the payment is made to them even if it is through the contractor.

(NAVEEN KUMAR)
COURT MASTER

(S.S.R. KRISHNA)
COURT MASTER