

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). 610 OF 2006

CHAIRMAN & M.D., I.T.I. LTD. & ANR

Appellant (s)

VERSUS

SUBHAS CHANDRA BHARARA & ANR.

Respondent(s)

(With appln(s) for extension of time and prayer for interim relief and office report )

WITH Civil Appeal NO. 564-605 of 2006  
(With prayer for interim relief and office report)

Civil Appeal NO. 606 of 2006  
(With prayer for interim relief and office report)

Civil Appeal NO. 611 of 2006  
(With prayer for interim relief and office report)

Date: 14/03/2013 These Appeals were called on for hearing today.

CORAM :  
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR  
HON'BLE MR JUSTICE PINAKI CHANDRA GHOSE

For Appellant(s)  
Mr. Gautam Narayan, Adv.  
Mr. Nikhil Nayyar, Adv.  
Mr. Nikhil Menon, Adv.  
Ms. Asmita Singh, Adv.

For Respondent(s)  
Mr. Vivek Singh, Adv.  
Mr. Abhijit Sengupta, Adv.

Mr. Rakesh Kumar Khanna, ASG  
Ms. Asha G. Nair, Adv.  
Mr. A. Deb Kumar, Adv.  
Mr. D.S. Mahra, Adv.

For RR 2-9,12,13, Mr. Nakibur Rahman Barbhuiya, Adv.

Mr. Naveen R. Nath, Adv.

Respondent-in-person

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

Mr. Rakesh Kumar Khanna, learned Additional Solicitor General appearing on behalf of the Union of India submits that the matter is still pending before the Board for Reconstruction of Public Sector Enterprises (hereinafter referred to as the 'BRPSE'), which was wrongly mentioned as "Board for Industrial and Financial Reconstruction" in our Order dated 17th January, 2013. Let the necessary correction be made in the aforesaid order by substituting the expression "Board for Reconstruction of Public Sector Enterprises" in place of "Board for Industrial and Financial Reconstruction".

It is pointed out by the learned counsel for the respondents-workmen that the rehabilitation scheme has now been approved on 8th January, 2013. Therefore, a direction may be issued to the BRPSE to take a final decision within a time bound frame.

Mr. Rakesh Kumar Khanna has, however, pointed out that the scheme, which has been approved, is still pending consideration before the AIFR.

We are of the opinion that even though the matter is pending before the AIFR, it would not be an impediment for the BRPSE to place the matter before the Cabinet. Such a decision, in our opinion, would in fact

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aid the whole process of rehabilitation of the sick company. We, therefore, direct the BRPSE to take a final decision within three months and place the same before the Cabinet.

These matters are adjourned to first week of August, 2013.

(Sukhbir Paul Kaur)

(Indu Bala Kapur)

Court Master

Court Master