

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).8382/2006

(From the judgement and order dated 03/10/2005 in WP No. 949/2003 of the HIGH COURT OF UTTARANCHAL AT NAINITAL)

IRRIGATION RESEARCH INSTITUTE

Petitioner(s)

VERSUS

MADAN KUMAR

Respondent(s)

(With prayer for interim relief and office report)

Date: 01/10/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Petitioner(s) Mr. Vijay K. Jain, Adv.

For Respondent(s) Ms. Asha Jain Madan, Adv.
Mr. Mukesh Jain, Adv.
Mr. Dushyant Parashar, Adv.

UPON hearing counsel the Court made the following
ORDER

Whether Irrigation Research Institute is an 'industry' under the Industrial Disputes Act or not is the question involved in this special leave petition. We are informed that vide judgment in Des Raj vs. State of Punjab [(1988) 2 SCC 537] the said Research Institute has been held by this Court to be an industry under the Industrial Disputes Act. At the same time, we may state that the Bangalore Water supply & Seweage Board's judgment has been referred to a larger Bench of this Court.

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The Registry is directed to place this matter after the decision of the larger Bench.

However, in the meantime, there will be no stay with regard to the impugned order passed by the Labour Court. However, it is made clear that the worker, who will be reinstated pending the hearing and final disposal of this case, would be joining the employment without prejudice to the rights of the parties.

The Institute will reinstate the worker within four weeks
from today.

(N. Annapurna)
Court Master

(Madhu Saxena)
Court Master