

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CONTEMPT PETITION (C) NO. 112 OF 2010 IN Civil Appeal 3962/2006

THEIR WORKMEN REP.BIHAR COLLIERY KAM.UNI Petitioner(s)

VERSUS

T.K.LAHIRI & ORS. Respondent(s)

WITH

I.A. NOs. 2 & 3 IN CIVIL APPEAL NO. 3962 OF 2006
(for directions)

Date: 30/08/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE T.S. THAKUR

For Petitioner(s) Mr. V.J. Francis, Adv.
Mr. Anupam Mishra, Adv.
Mr. Harikumar V., Adv.

For Respondent(s) Mr. Anupam Lal Das, Adv.
Mr. Abhishek Kumar, Adv.

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

Contempt Petition (C) NO. 112 of 2010 and I.A. NOs. 2
& 3 are disposed of.

(Rajesh Dham)
Court Master

(Indu Satija)
Court Master

(signed order is placed on the file)
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION (C) NO. 112 OF 2010
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O R D E R

In this case, while allowing Appeal No. 3962 of 2006 by order dated 18.11.2009, we directed reinstatement of the workmen concerned, without back wages, within a period of one month from the date of production of a copy of the said judgment dated 18.11.2009 before the management of the respondent.

Since there was some controversy about the persons who are entitled to the benefit of our judgment dated 18.11.2009, by order dated 16.04.2010 this Court directed the District Judge, Dhanbad (Jharkhand) to ascertain the genuineness of the claimants/awardees in award dated 14th August, 2000 in Reference Case No. 204 of 1994.

In pursuance thereto, the District Judge, Dhanbad has now submitted a report dated 03.08.2010 and we accept the same. The District Judge has observed that some of the claimants did not file birth certificates.

opinion that that is irrelevant because many of the claimants are illiterate and/or poor persons. Hence, they will be entitled to the benefit of our judgment dated 18.11.2009. However, those who did not appear before the

District Judge despite notices to them (as mentioned by the District Judge in his report) will not be entitled to the benefit.

The workmen concerned, as found genuine by the District Judge, Dhanbad in his report, shall be reinstated forthwith.

Contempt Petition (C) NO. 112 of 2010 and I.A. NOs. 2 & 3 are disposed of accordingly.

.....J.
(MARKANDEY KATJU)

.....J.
(T.S. THAKUR)