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SLP(C)... 4354-4355 OF 2003

ITEM No.46

Court No. 9

SECTION XV

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

Petition(s) for Special Leave to Appeal(Civil)...../2003  
(CC 4354-4355/2003)  
(From the judgement and order dated 13/12/2002 in AN 1285/96 in  
WP 401/1996 and AN 1286/96 in WP 1240/96 of The HIGH COURT OF BOMBAY)

OIL & NATURAL GAS CORPORATION LTD. Petitioner (s)

VERSUS

PETROLEUM EMPLOYEES UNION & ORS. Respondent (s)

(With Appln(s). for c/delay in filing SLPs and office report)

With I.A. Nos.2-5 in S.L.P. (C) Nos.301/2003, 303/2003 and  
S.L.P. (C) Nos...../2003 (CC 1179-1180/2003)  
(Permission to file SLPs, clarification and directions)

Date : 03/11/2003 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL  
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Petitioner (s)Mr. Harish N. Salve,Sr.Adv.  
In SLP...../2003Mr. Sunil Kumar Jain,Adv.  
(CC 4354-55/2003):Mr. Manish Kumar,Adv.

In I.As.:Mr. Suresh S. Pakale,Adv.  
Mr. Ashok Kumar Gupta,Adv.

For Respondent (s)Mr. Suresh S. Pakale,Adv.  
Mr. Ashok Kumar Gupta,Adv.

Mr. Ranjit Kumar,Sr.Adv.  
Mr. Amitabh Chaturvedi,Adv.  
Ms. Rakhi Ray,Adv.

Mr. Harish N. Salve,Sr.Adv.  
Mr. Sunil Kumar Jain,Adv.  
Mr. Manish Kumar,Adv.

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

Permission to file the special leave petitions is granted.

Delay condoned.

Mr. Harish H. Salve, learned senior counsel for the petitioner, contended that the High Court

was not correct in issuing a direction to the appropriate Government to refer the dispute as to the genuineness of the mode of employment of contract labour under Section 10 of the Industrial Disputes Act, 1947. We are not inclined to express one way or the other as the matter has already been referred to the Industrial Tribunal. In case, similar relief is sought for in any other writ petition by workmen, other than those involved in these proceedings, it will be open to the petitioner to urge all the contentions independently. In other words, the impugned judgement is confined to the proceedings in question. The learned counsel for the respondents submits that nothing more is required to be done in the light of what is stated above. Hence the special leave petitions are disposed of accordingly.

In view of the orders passed in the special leave petitions, no orders are required to be passed on the interlocutory applications.

[ T.I. Rajput ] [ Shelly Sengupta ]  
Court Master                      Court Master