

ITEM NO.126

COURT NO.6

SECTION IX

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). 1561 OF 2005

CHILDREN'S AID SOCIETY EMPS. UNION & ANR

Appellant (s)

VERSUS

CHILDREN'S AID SOCIETY & ORS.

Respondent(s)

(With prayer for interim relief)

Date: 11/03/2010 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE A.K. PATNAIK

For Appellant(s) Mr. Colin Gonsalves, Sr. Adv.
Mr. Divya Jyoti, Adv.for
Ms.Jyoti Mendiratta,Adv.

For Respondent(s) Ms. Asha G. Nair, Adv.

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

The Appeal is dismissed in terms of the signed
order. No costs.

(Parveen Kr. Chawla)
Court Master

(Indu Satija)
Court Master

[signed Order is placed on the file]
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.1561 OF 2005

Children's Aid Society Employees
Union & Another

..Appellants

versus

Children's Aid Society & Others

..Respondents

O R D E R

Heard learned counsel for the parties.

On the facts of the case, we are not inclined to
interfere with the impugned judgment of the High Court.

The Civil Appeal is dismissed accordingly. No
costs.

However, Mr. Colin Gonsalves, learned senior counsel for the appellant submitted that the employees represented by the appellants are entitled to the benefit of Section 6(A) of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (for short 'the Act'), although this point does not appear to have been raised before the High Court in these proceedings.

We now permit the appellants to file a fresh writ petition in the High Court raising this point regarding benefit of Section 6(A) of the Act and if the appellant does so, the same shall be decided expeditiously after hearing the parties concerned in accordance with law.

.....J.
[MARKANDEY KATJU]

NEW DELHI;J.
MARCH 11, 2010 [A.K. PATNAIK]