

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) No.10529-10549/2001

(From the judgement and order dated 28/05/2001 in WA 1747-57/2001
WP No. 157 to 159/2001, WP 7987/2001, WP 5118/2001, WP 4503 to
4507/2001 of The HIGH COURT OF KARNATAKA AT BANGALORE)

BHARAT GOLD MINES LTD., KOLAR DISTRICT

Petitioner (s)

VERSUS

BHARAT GOLD MINES UNTD.EMP.ASSCN. & ORS.

Respondent (s)

(With prayer for interim relief)

(With Appln(s). for exemption from filing c/c of the impugned Judgment
and permission to submit additional document(s))

Date : 27/08/2001 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE P. VENKATARAMA REDDI

For Petitioner (s)

Mr. S.V. Deshpande, Adv.

For Respondent (s)

Mr. S.R. Bhat, Adv.
Mr. Naveen R. Nath, Adv.

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

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By the impugned order the Division Bench of the High Court of Karnataka has directed payment of salary for the month of March, 2001, purely as a stop gap arrangement, in view of the fact that budgetary provision has already been made. Learned counsel for the petitioner submitted that the closure of the industry has been permitted under Section 11 (O) of the Industrial Disputes Act by the Central Government with effect from 1st March, 2001 and therefore the question of releasing the salary for the month of March, 2001 does not arise. The fact

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remains that even if the closure of the factory as permitted by the Government, is upheld by the High Court, the petitioner shall have to pay certain benefits to the employees. Both the learned counsel agree that the amount directed to be paid by the High Court may be released treating the same as ad hoc payment, and not necessarily as salary, and the same shall be available to be treated as payment of salary or payment of benefits to the employees consequent upon closure consistently with the

final order to be passed by the High Court. The suggestion is very reasonable and we order accordingly. The special leave petitions stand disposed of.

We request the High Court to dispose of the matter pending before it expeditiously looking to the nature of the controversy involved.

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(Ajay Kr. Jain)
Court Master

(Prem Prakash)
Court Master