

ITEM NO.702

COURT NO.1

SECTION XVI

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal 897/2002

STATE OF U.P.

Appellant(s)

VERSUS

JAI BIR SINGH

Respondent(s)

(With application for impleadment, intervention and interim relief and office report)

WITH

C.A. No. 1276/2001

C.A. No. 1278/2001  
(Interim directions and Office Report)

C.A. No. 1279/2001

C.A. No. 6114/2001

C.A. No. 8597/2001  
(With Office Report)

C.A. No. 2409/2002  
(With Office Report)

C.A. No. 2506/2002  
(With Interim Relief and Office Report)

C.A. No. 4569/2002  
(With Office Report)

C.A. No. 5101/2002  
(With Office Report)

C.A. No. 6108/2002

C.A. No. 6471/2002

SLP(C) No. 20982/2002  
(Directions)

C.A. No. 7994/2004  
(With Office Report)

SLP(C) No. 11291/2004  
(With Interim Relief)

SLP(C) No. 14085/2004  
(With Office Report)

SLP(C) No. 14127/2004

C.A. No. 812/2005

SLP(C) No. 4139/2005  
(With Interim Relief and Office Report)

C.A. No. 1273/2007

C.A. No. 1274/2007

C.A. No. 3647/2007

C.A. No. 4646/2007  
(With Office Report)

SLP(C) No. 16301/2007  
(With Interim Relief and Office Report)

C.A. No. 296/2008  
(With Office Report)

C.A. No. 1311-1312/2008

SLP(C) No. 3107/2008

SLP(C) No. 4327/2008

SLP(C) No. 4328/2008

SLP(C) No. 4329/2008

SLP(C) No. 16276/2008  
(With Interim Relief)

SLP(C) No. 17224/2008  
(With Office Report)

SLP(C) No. 1112/2009  
(With Interim Relief and Office Report)

S.L.P.(C)...CC No. 7990/2009  
(With appln.(s) for c/delay in filing SLP)

C.A. No. 3920/2010  
(With Office Report)

C.A. No. 5681/2010

C.A. No. 3119/2011  
(Directions and Office Report)

C.A. No. 7757/2011

C.A. No. 1131/2012  
(With application for c/delay in filing SLP)

C.A. No. 4505-4506/2013  
(With Office Report)

C.A. No. 4507-4508/2013  
(For clarification and Office Report)

SLP(C) No. 12679-12682/2014  
(With Office Report)

C.A. No. 5519/2012  
(With Office Report)

SLP(C) No. 1857/2016  
(With appln.(s) for exemption from filing O.T.)

Date : 17/11/2016 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE MADAN B. LOKUR  
HON'BLE MR. JUSTICE S.A. BOBDE  
HON'BLE MR. JUSTICE ADARSH KUMAR GOEL  
HON'BLE MR. JUSTICE UDAY UMESH LALIT  
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
HON'BLE MR. JUSTICE L. NAGESWARA RAO

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For Respondent(s)

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Mr. Nirmal Kumar Ambastha, Adv.  
Mr. Amritesh Raj, Adv.  
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Mr. Subhash Sharma, Adv.  
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Mr. Rameshwar Prasad Goyal, Adv.

Mr. Gautam Narayan, Adv.

Mr. K. Rajeev, Adv.

Mr. M. K. Garg, Adv.

Ms. Sheela Goel, Adv.

Impleadment: Mr. Abhay Nagavi, Adv.  
Mr. Krishan Kumar, Adv.

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

Delay condoned.

Arguments heard.

Judgment reserved.

Learned counsel for the respondent-employees in separate appeals i.e. Civil Appeals Nos. 4505-4506 of 2013, 4507-4508 of 2013 and SLP(C) Nos. 12679-12682 of 2014 submits that despite an order passed by this Court directing the Devasthanam/temple-appellants in these appeals to pay gratuity payable to the respondent-employees, no payment has been made to them on the ground that the present appeals are pending disposal before this Court.

Learned counsel appearing for the Devasthanam/temple dispute this position. They submit that the gratuity amount payable to the respondent-employees has already been released by the temples concerned and that there is no defiance of the direction issued by this Court.

Be that as it may, we direct that in case the gratuity payable to the respondent-employees has not been paid, the same shall be paid by the appellant-temple/Devasthanam by 31.01.2017

failing which the respondent-employees shall be free to approach this Court with an appropriate contempt petition which shall then be listed before a regular Bench for appropriate orders.

Ms. Pinky Anand, learned ASG shall take instructions whether the Government of India have any intention of notifying the date w.e.f. which the amendment to the Industrial Disputes Act, 1947 shall be brought into force.

(Charanjeet Kaur)  
AR-cum-PS

(Shashi Sareen)  
AR-cum-PS

(Sanjay Kumar-I)  
AR-cum-PS

(Veena Khera)  
Court Master

(Mahabir Singh)  
Court Master

(Tapan Kr. Chakraborty)  
Court Master

(Meenakshi Kohli)  
Court Master

(Ashok Raj Singh)  
Court Master