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ITEM NO.11

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

I.A. 9 & 10/2016 in Civil Appeal Nos.2591/2006

THE KELVIN JUTE CO.LTD.WORS.P.F.& ORS.

Appellant(s)

VERSUS

KRISHNA KUMAR AGARWALA & ORS.

Respondent(s)

(For directions and office report)

WITH

I.A. NO.6/2016 in C.A. No. 2593/2006

(With appln.(s) for directions and Office Report)

Date : 26/10/2016 These applications were called on for hearing today.

CORAM : HON&#39;BLE MR. JUSTICE KURIAN JOSEPH

HON&#39;BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Appellant(s) Mr. Sanjiv Sen, Sr. Adv.

Mr. Dev Roy, Adv.

Dr. Kailash Chand, Adv.

Mr. Satish Vig, Adv.

For Respondent(s) Mr. Sudhir Chandra, Sr. Adv.

Mr. Bhaskar P. Gupta, Sr. Adv.

Mr. Parijat Sinha, Adv.

Mr. C. K. Jain, Adv.

Ms. Reshmi Rea Sinha, Adv.

Mr. Anirban Sen, Adv.

Mr. Dipak Kumar Jena, Adv.

Mr. Krishnan Venugopal, Sr. Adv.

Mr. P. V. Saravana Raja, Adv.

Mr. S.N.Mitra, Adv.

Mr. Rahul Gupta, Adv.

Mr. Snehasish Mukherjee, Adv.

Ms. Aruna Gupta, Adv.

Ms. Reshmi Rea Sinha, Adv.

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UPON hearing the counsel the Court made the following

O R D E R

Having regard to the prolonged litigation and after hearing learned senior counsel appearing for both sides, we are of the view that it is high time to give a quietus to the disputes.

As per our direction, M/s. Trend Vyapar Limited has deposited an amount of Rs.1.95 Crores with the Provident Fund Commissioner.

We are also informed that ever since M/s. Trend Vyapar Limited took over the Company, they are in regular payment of the Provident Fund to its workers. Be that as it may, in view of the background of the cases which have been dealt with in detail by the High Court while disposing of the appeals, we have taken the view that no interference was called for since the facts were not disputed.

In the above circumstances, we are prima facie of the view that this is an eminently fit case where this Court should invoke its discretion under Article 142 of the Constitution of India and give a quietus to all other disputes by treating the remittance of Rs. 1.95 Crores as full and final settlement of all the dues without any further liability on the part of M/s. Trend Vyapar Limited either by way of interest or by way of damages. The learned senior counsel appearing for both sides to get instruction.

Post on 10.11.2016 as first item.

(Rajni Mukhi) (Renu Diwan )

SR. P.A. ASSISTANT REGISTRAR