

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

Petition(s) for Special Leave to Appeal (Civil) No(s).11636/2010  
(From the judgement and order dated 29/03/2010 in LPA No. 529/2010  
of The HIGH COURT OF GUJARAT AT AHMEDABAD)

TRANSPORT CORP.OF INDIA LTD.

Petitioner(s)

VERSUS

EMPLOYEE STATE INSURANCE CORP.& ORS.  
(With prayer for interim relief )

Respondent(s)

Date: 26/04/2010                      This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.M. PANCHAL  
HON'BLE DR. JUSTICE B.S. CHAUHAN

For Petitioner(s)

Mr. C.Uday Singh, Sr. Adv.  
Mr. Rishi Maheshwari, Adv.  
Ms. Megna Mukerjee, Adv.  
Mrs. Shally Bhasin Maheshwari, Adv.  
Ms. Naomi Chandra, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

It is contended that Sec.39(5)(a) of the Act which stipulates payment of interest in case of non-payment of contribution payable by Principal Employer under the Act was inserted by the Employees State Insurance (Amendment) Act, 1989 which came into force on October 20, 1989, and therefore the petitioner would not to be liable to pay interest prior to October 20, 1989.

Issue notice returnable fourth week of July, 2010.

The interim relief granted earlier is directed to continue till further orders.

[SUMAN WADHWA]  
COURT MASTER

[VINOD KULVI]  
COURT MASTER