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SLP(C)No. 18097 OF 2001
ITEM No.6

Court No. 9

SECTION XI
A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

I.A. No .8 & 9 in
Petition(s) for Special Leave to Appeal (Civil) No.18097/2001

(From the judgement and order dated 02/11/1999 in WP 3442/99
of The HIGH COURT OF U.P AT LUCKNOW)

STATE OF U.P. & ANR.

Petitioner (s)

VERSUS

U.P. RAJYA HATHKARGHA NIGAM LTD. & ORS. Respondent (s)
(With appln.(s) for bringing addl.facts on record and exemption from
filing O.T.)

With I.A. No.3&4 in W.P(C)No.423/2001- (With appln.(s) for bringing
addl.facts on record and exemption from filing O.T. and office report)

Date : 05/08/2002 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N. SANTOSH HEGDE
HON'BLE MR. JUSTICE BISHESHWAR PRASAD SINGH

For Petitioner (s) Mr. R.N. Trivedi,ASG
Mr. Ashok K. Srivastava,Adv.

For Respondent (s) Mr. P. Chidambaram,Sr.Adv.
Mr. Hariom Yaduvanshi,Adv.
Ms. Monika Gusain,Adv.
Mr. Ranbir Singh Yadav,Adv.

Mr. P.D. Sharma,Adv.
Mr. Ravi Prakash Mehrotra, Adv.
Mr. Garvesh Kabra,Adv.

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

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From the order of this Court dated 10th May, 2002, it
is seen that an undertaking was given by the learned counsel
for the respondent-Corporation whereby the Corporation
undertook to pay the salary of the writ petitioners till the
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month of September, 2002. In the present application it is
urged that this payment should also be made to the workmen who
are not writ petitioners before the High Court who are 87 in

number since they are similarly situated as the writ petitioners and that they should not be discriminated solely on the ground that they have not filed writ petitions. We find merit in this contention where the Corporation undertook to pay the solatium of the writ petitioners workmen. We do not see any reason why these 87 workmen should be denied their salary. However, since these petitions are likely to be posted for final hearing sometime next month tide over the immediate problems of these 87 workmen, we direct the salaries of these 87 workmen for the month of May and June, 2002 shall be paid by the respondent-Corporation pending the disposal of this petition by 31st August, 2002.

The respondents will file counter affidavit within two weeks.

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(Ganga Thakur)
P.S. to Registrar

(Jasbir Singh)
Court Master