

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.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 prayer for interim relief)
(With Appln(s). for c/delay in filing SLP and c/delay in refiling SLP
and taking on record addl. facts and documents and
exemption from filing O.T.)
With Office Report
With
W.P(C)No.423/2001
(with appln.(s) for exemption from filing O.T. and office report)

Date : 01/04/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N. SANTOSH HEGDE
HON'BLE MR. JUSTICE DORAISWAMY RAJU

For Petitioner (s) Mr. R.B. Mehrotra, Sr. Adv.
and respondent in Mr. Ashok K. Srivastava,Adv.
W.P.423/01
Petr. in WP 423/01 Mr. M.N. Krishnamani, Sr. Adv.
 Mr. Hariom Yaduvanshi, Adv.
 Mrs. Monika G. Yaduvanshi, Adv.
 Mr. Ranbir Singh Yadav, Adv.

For Respondent (s) Mr. Rajiv Dutta, Sr. Adv.
 Mr. Hariom Yaduvanshi, Adv.
 Mrs. Monika G. Yaduvanshi, Adv.
 Mr. Ranbir Singh Yadav,Adv.

 Mr. Ashok Nigam, Sr. Adv.
 Mr. P.D. Sharma,Adv.

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

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This special leave petition has filed against the
impugned order of the High Court wherein the High Court has
directed the State of Uttar Pradesh to provide as an interim
measure sufficient fund to pay the salary of the employees of
...2/-

: 2 :

respondent-Corporation. It is pointed out at the time of the
argument by the learned counsel appearing for the

respondent-Corporation that the Corporation is put to financial difficulties because of the stand of the Government in preventing the Corporation from retrenching the services of unwanted employees, in support of this argument the learned counsel relies on a letter of the Government of Uttar Pradesh dated 5th May, 1999 wherein it is seen that the said Government has turned down the request of the respondent-Corporation to retrench the services of its unwanted employees. It is on this basis the respondent-Corporation contends that since it is not in a position to pay the salary of these employees, the High Court felt that the Government should be called upon to fund the Corporation as an interim measure to satisfy the requirement of payment of its employees.

Having considered the above argument, we think it appropriate that the petitioner-Government should file its response as to its stand reflected in the letter of 5th May, 1999. This shall be done within two weeks.

List this matter for further orders after three weeks.

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(Pawan Kumar)
Court Master

(Prem Prakash)
Court Master