

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.14567/2000

(From the judgement and order dated 25/05/2000 in LPA 335/98
of The HIGH COURT OF DELHI AT N. DELHI)

ROURKELA SHRAMIK SANGH

Petitioner (s)

VERSUS

STEEL AUTHORITY OF INDIA LTD. & ANR.

Respondent (s)

(With Appln(s). for exemption from filing legible/clear copies of
the annexures)
(For Final Disposal)

Date : 07/02/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.P. MOHAPATRA
HON'BLE MR. JUSTICE BRIJESH KUMAR

For Petitioner (s) Mr. Shanti Bhushan, Sr. Adv.
Mr. Prashant Bhushan, Adv.
Mr. Sanjeev K. Kapoor, adv.
Mr. Narender Verma, adv.
Mr. Vishal Gupta, adv.
Mr. Sanjay Pathak, adv.

For Respondent (s) Mr. C.S.Vaidyanathan, Sr. Adv.
Mr. Vijay Hansari, adv. for
M/s Jain Hansaria & Co., Adv.

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

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We have heard Shri Shanti Bhushan, learned senior
counsel appearing for the petitioner and Mr.
C.S.Vaidyanathan, learned senior counsel appearing for the
respondent No.1.

The main thrust of the submissions of Shri Shanti
Bhushan is that the directions issued by this Court in
R.K.Panda and Ors. vs. Steel Authority of India and
Others 1994 (5) SCC 304 have not been duly carried out by
the Chief Labour Commissioner, (Central) Delhi and
therefore the grievance of contract labourers who have been

denied the relief of absorption in regular service under
the Steel Authority of India. The stand taken by Shri
Vaidyanathan on the other hand is that in the context of
facts and circumstances of the case the High Court did not
commit any error in disposing of the writ petition with the
observation, inter alia, that the workmen who are aggrieved

by the order of the CLC(C) may raise industrial dispute for adjudication of the claim made by them.

R.K.Panda's case was decided by a three Judge Bench of this Court. In the meantime a Constitution Bench of this Court in the case of Steel Authority of India Limited and others vs. National Union Waterfront workers and others, 2001 (7) SCC 1 has considered the question of absorption of contract labour after a notification under Sec.10 of the Contract Labour (Regulation and Abolition) Act 1970 is issued and the Constitution Bench has also made certain observations regarding the manner in which aggrieved contract labourers may seek relief relating to their service after abolition of the contract labour scheme.

We feel that it will be appropriate if this case is placed before a Larger Bench for decision. Since the matter has been pending before the authorities and before the Courts for several years the case may be heard expeditiously. Leave is granted to the counsel for the parties to mention for early hearing.

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(Suman Wadhwa)
Court Master

(S.Malkani)
Court Master