

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

CIVIL APPEAL NO(s). 3542 OF 2011

MANGT.OF BHARAT HEAVY ELECTRICALS LTD.

Appellant (s)

VERSUS

M.GANESAN

Respondent(s)

WITH

Civil Appeal NO. 3543 of 2011
 Civil Appeal NO. 3544 of 2011
 Civil Appeal NO. 3545 of 2011
 (With office report)
 Civil Appeal NO. 3548 of 2011
 (With office report)
 Civil Appeal NO. 3549 of 2011
 (With office report)
 Civil Appeal NO. 3550 of 2011
 (With office report)
 Civil Appeal NO. 3551 of 2011
 (With office report)
 Civil Appeal NO. 3552 of 2011
 (With office report)
 Civil Appeal NO. 3555 of 2011
 (With office report)
 Civil Appeal NO. 3556 of 2011
 (With office report)
 Civil Appeal NO. 3557 of 2011
 (With office report)
 Civil Appeal NO. 3558 of 2011
 (With office report)
 Civil Appeal NO. 3559 of 2011
 (With office report)
 Civil Appeal NO. 3560 of 2011
 (With office report)
 Civil Appeal NO. 3561 of 2011
 (With office report)
 Civil Appeal NO. 3562 of 2011
 (With office report)
 Civil Appeal NO. 3563 of 2011
 (With office report)
 Civil Appeal NO. 3564 of 2011
 (With office report)
 Civil Appeal NO. 3565 of 2011

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Civil Appeal NO. 3566 of 2011
 (With office report)
 Civil Appeal NO. 3567 of 2011
 (With office report)
 Civil Appeal NO. 3572 of 2011
 (With office report)
 Civil Appeal NO. 3568 of 2011
 (With office report)
 Civil Appeal NO. 3569 of 2011
 (With office report)
 Civil Appeal NO. 3570 of 2011
 (With office report)
 Civil Appeal NO. 3571 of 2011

Date: 13/07/2011 These Appeals were called on for hearing today.

During the course of arguments by Mr. Gaurab Banerjee, the learned Additional Solicitor General, on our suggestion, learned counsel for both the parties have very

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fairly agreed that having regard to the fact-situation and the issue involved in all the appeals, these may be disposed of in the following terms :

1) All the respondents-workmen shall be absorbed by the appellant namely, M/s. Bharat Heavy Electricals Ltd. as their permanent employees at the entry Grade;

2) The concerned employees shall not stake any claim for their seniority vis-a-vis the existing employees in the same grade;

3) The employees concerned shall be entitled to claim the benefit of continuity of service from 23rd August, 2005 only for the purpose of retiral benefits in terms of the Rules governing the permanent employees of M/s. Bharat Heavy Electricals Ltd.; and

4) The said employees shall have no claim on any other amount from the appellant, except what has already been paid to them under Section 17-B of the Industrial Disputes Act, 1947.

Necessary orders in terms of the afore-stated directions shall be issued within eight weeks from today,

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subject to the employees furnishing the requisite documents as may be demanded by the Management.

All the appeals stand disposed of in above terms. Needless to add that we have not examined and expressed any

opinion on the issues raised by both the parties on these
appeals.

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[D.K. JAIN, J.]

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[ASOK KUMAR GANGULY, J.]

NEW DELHI,
JULY 13, 2011.