

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 10815-10816 OF 2013
(ARISING OUT OF S.L.P. (C) NOS. 21420-21421 OF 2009)

THE MANAGEMENT B.H.E.L. & OTHERS ... APPELLANT(S)

VERSUS

B.H.E.L. EX-APPRENTICE ASSN. TRICHY ...RESPONDENT(S)

O R D E R

Leave granted.

2. Mr. Gourab Banerji, learned Additional Solicitor General for the appellants and Mr. Basant R., learned senior counsel for the respondents, after some arguments, have agreed for the following order:

i) Subject to the verification by the appellants about the identity of 124 ex-apprentices, as mentioned in Annexure A-3 at pages 28 to 32 of Volume-II - Additional Documents dated 7.8.2009, who were below 40 years of age as on 5.11.2007 (the date of filing the writ petition) shall be absorbed by the Bharat Heavy Electricals Limited, Trichy unit.

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ii) This is, however, subject to the fitness of the above eligible ex-apprentices. The entire exercise in this connection shall be completed on or before 30.4.2014.

3. Civil Appeals are disposed of as above. Needless to say that this order, being on the agreement of the parties, will not be precedent for other cases. No costs.

.....J.
(R.M. LODHA)

.....J.
(KURIAN JOSEPH)

NEW DELHI;
DECEMBER 3, 2013.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL Nos. 10817-10818 OF 2013
(ARISING OUT OF S.L.P. (C) NOS. 25392-25393 OF 2009)

BHARAT HEAVY ELECTRICALS LTD. ... APPELLANT(s)

VERSUS

A. THANUPILLAI & OTHERS ...RESPONDENT(s)

O R D E R

Leave granted.

2. Mr. Gourab Banerji, learned Additional Solicitor General for the appellant and Mr. V. Prakash, learned senior counsel for the respondent Nos. 1 to 17, after some arguments, have agreed for the following order:

i) Subject to the verification by the appellant about the identity of respondent Nos. 1 to 17, who were below 40 years of age as on 1.09.2006, shall be absorbed by the Bharat Heavy Electricals Limited, Trichy unit.

ii) This is, however, subject to the fitness of the above eligible ex-apprentices. The

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entire exercise in this connection shall be completed on or before 30.4.2014.

3. Civil Appeals are disposed of as above. Needless to say that this order, being on the agreement of the parties, will not be precedent for other cases. No costs.

.....J.
(R.M. LODHA)

NEW DELHI;J.
DECEMBER 3, 2013. (KURIAN JOSEPH)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 10819-10820 OF 2013
(ARISING OUT OF S.L.P. (C) NOS. 25642-25643 OF 2009)

BHARAT HEAVY ELECTRICALS LTD. ... APPELLANT(s)

VERSUS

M. ANGAMUTHU & ANOTHER ...RESPONDENT(s)

O R D E R

Leave granted.

2. Mr. Gourab Banerji, learned Additional Solicitor General for the appellant and Mr. V. Prakash, learned senior counsel for the respondent No. 1, after some arguments, have agreed for the following order:

- i) Subject to the verification by the appellant about the identity of respondent No. 1, who was below 40 years of age as on 1.09.2006, shall be absorbed by the Bharat Heavy Electricals Limited, Trichy unit.
- ii) This is, however, subject to the fitness of the above eligible ex-apprentice. The

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entire exercise in this connection shall be completed on or before 30.4.2014.

3. Civil Appeals are disposed of as above. Needless to say that this order, being on the agreement of the parties, will not be precedent for other cases. No costs.

.....J.
(R.M. LODHA)

NEW DELHI;
DECEMBER 3, 2013.

.....J.
(KURIAN JOSEPH)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 10821-10822 OF 2013
(ARISING OUT OF S.L.P. (C) NOS. 25645-25646 OF 2009)

BHARAT HEAVY ELECTRICALS LTD. ... APPELLANT(s)

VERSUS

M. SHANMUGAVELU & ANOTHER ...RESPONDENT(s)

O R D E R

Leave granted.

2. Mr. Gourab Banerji, learned Additional Solicitor General for the appellant and Mr. V. Prakash, learned senior counsel for the respondent No. 1, after some arguments, have agreed for the following order:

i) Subject to the verification by the appellant about the identity of respondent No. 1, who was below 40 years of age as on 1.09.2006, shall be absorbed by the Bharat Heavy Electricals Limited, Trichy unit.

ii) This is, however, subject to the fitness of the above eligible ex-apprentice. The

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entire exercise in this connection shall be completed on or before 30.4.2014.

3. Civil Appeals are disposed of as above. Needless to say that this order, being on the agreement of the parties, will not be precedent for other cases. No costs.

.....J.

(R.M. LODHA)

NEW DELHI;
DECEMBER 3, 2013.

.....J.
(KURIAN JOSEPH)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 10823-10824 OF 2013
(ARISING OUT OF S.L.P. (C) NOS. 25618-25619 OF 2009)

BHARAT HEAVY ELECTRICALS LTD. ... APPELLANT(s)

VERSUS

P. MURUGESAN & ANOTHER ...RESPONDENT(s)

O R D E R

Leave granted.

2. Mr. Gourab Banerji, learned Additional Solicitor General for the appellant and Mr. V. Prakash, learned senior counsel for the respondent No. 1, after some arguments, have agreed for the following order:

i) Subject to the verification by the appellant about the identity of respondent No. 1, who was below 40 years of age as on 1.09.2006, shall be absorbed by the Bharat Heavy Electricals Limited, Trichy unit.

ii) This is, however, subject to the fitness of the above eligible ex-apprentice. The

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entire exercise in this connection shall be completed on or before 30.4.2014.

3. Civil Appeals are disposed of as above. Needless to say that this order, being on the agreement of the parties, will not be precedent for other cases. No costs.

.....J.
(R.M. LODHA)

NEW DELHI;
DECEMBER 3, 2013.

.....J.
(KURIAN JOSEPH)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOs. 10825-10826 OF 2013
(ARISING OUT OF S.L.P. (C) NOs. 25622-25623 OF 2009)

MANAGEMENT OF BHARAT HEAVY ELECTRICALS LTD.

... APPELLANT(s)

VERSUS

V. PRADEEP NALANKILLI & OTHERS

...RESPONDENT(s)

O R D E R

Leave granted.

2. Mr. Gourab Banerji, learned Additional Solicitor General for the appellant and Mr. V. Prakash, learned senior counsel for the respondent Nos. 1 & 2, after some arguments, have agreed for the following order:

i) Subject to the verification by the appellant about the identity of respondent Nos. 1 & 2, who were below 40 years of age as on 1.09.2006, shall be absorbed by the Bharat Heavy Electricals Limited, Trichy unit.

ii) This is, however, subject to the fitness of the above eligible ex-apprentices. The

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entire exercise in this connection shall be completed on or before 30.4.2014.

3. Civil Appeals are disposed of as above. Needless to say that this order, being on the agreement of the parties, will not be precedent for other cases. No costs.

.....J.
(R.M. LODHA)

NEW DELHI;
DECEMBER 3, 2013.

.....J.
(KURIAN JOSEPH)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 10827-10828 OF 2013
(ARISING OUT OF S.L.P. (C) NOS. 25620-25621 OF 2009)

MANAGEMENT OF BHARAT HEAVY ELECTRICALS LTD.

... APPELLANT(s)

VERSUS

O R D E R

Leave granted.

2. Mr. Gourab Banerji, learned Additional Solicitor General for the appellant and Mr. V. Prakash, learned senior counsel for the respondent Nos. 1 to 9, after some arguments, have agreed for the following order:

i) Subject to the verification by the appellant about the identity of respondent Nos. 1 to 9, who were below 40 years of age as on 1.09.2006, shall be absorbed by the Bharat Heavy Electricals Limited, Trichy unit.

ii) This is, however, subject to the fitness of the above eligible ex-apprentices. The

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entire exercise in this connection shall be completed on or before 30.4.2014.

3. Civil Appeals are disposed of as above. Needless to say that this order, being on the agreement of the parties, will not be precedent for other cases. No costs.

.....J.
(R.M. LODHA)

NEW DELHI;
DECEMBER 3, 2013.

.....J.
(KURIAN JOSEPH)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 10829-10830 OF 2013
(ARISING OUT OF S.L.P. (C) NOS. 28239-28240 OF 2009)

VERSUS

S. KUMARAVELU & ANOTHER

...RESPONDENT(s)

O R D E R

Leave granted.

2. Mr. Gourab Banerji, learned Additional Solicitor General for the appellant and Mr. V. Prakash, learned senior counsel for the respondent No. 1, after some arguments, have agreed for the following order:

i) Subject to the verification by the appellant about the identity of respondent No. 1, who was below 40 years of age as on 1.09.2006, shall be absorbed by the Bharat Heavy Electricals Limited, Trichy unit.

ii) This is, however, subject to the fitness of the above eligible ex-apprentice. The

: 2 :

entire exercise in this connection shall be completed on or before 30.4.2014.

3. Civil Appeals are disposed of as above. Needless to say that this order, being on the agreement of the parties, will not be precedent for other cases. No costs.

.....J.
(R.M. LODHA)

NEW DELHI;
DECEMBER 3, 2013.

.....J.
(KURIAN JOSEPH)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL Nos. 10831-10832 OF 2013
(ARISING OUT OF S.L.P.(C) NOS. 28245-28246 OF 2009)

MANAGEMENT OF BHARAT HEAVY ELECTRICALS LTD.

... APPELLANT(s)

VERSUS

A. RAVINDRAN & ANOTHER

...RESPONDENT(s)

O R D E R

Leave granted.

2. Mr. Gourab Banerji, learned Additional Solicitor General for the appellant and Mr. V. Prakash, learned senior counsel for the respondent Nos. 1 & 2, after some arguments, have agreed for the following order:

i) Subject to the verification by the appellant about the identity of respondent Nos. 1 & 2, who were below 40 years of age as on 1.09.2006, shall be absorbed by the Bharat Heavy Electricals Limited, Trichy unit.

ii) This is, however, subject to the fitness of the above eligible ex-apprentices. The

: 2 :

entire exercise in this connection shall be completed on or before 30.4.2014.

3. Civil Appeals are disposed of as above. Needless to say that this order, being on the agreement of the parties, will not be precedent for other cases. No costs.

.....J.
(R.M. LODHA)

NEW DELHI;
DECEMBER 3, 2013.

.....J.
(KURIAN JOSEPH)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 10833-10834 OF 2013
(ARISING OUT OF S.L.P. (C) NOS. 28251-28252 OF 2009)

BHARAT HEAVY ELECTRICALS LTD.

... APPELLANT(s)

VERSUS

T. DHAYALAN & ANOTHER

... RESPONDENT(s)

O R D E R

Leave granted.

2. Mr. Gourab Banerji, learned Additional Solicitor General for the appellant and Mr. V. Prakash, learned senior counsel for the respondent No. 1, after some arguments, have agreed for the following order:

i) Subject to the verification by the appellant about the identity of respondent No. 1, who was below 40 years of age as on 1.09.2006, shall be absorbed by the Bharat Heavy Electricals Limited, Trichy unit.

ii) This is, however, subject to the fitness of the above eligible ex-apprentice. The

: 2 :

entire exercise in this connection shall be completed on or before 30.4.2014.

3. Civil Appeals are disposed of as above. Needless to say that this order, being on the agreement of the parties, will not be precedent for other cases. No costs.

.....J.
(R.M. LODHA)

NEW DELHI;
DECEMBER 3, 2013.

.....J.
(KURIAN JOSEPH)

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 183 OF 2012

MANAGEMENT OF BHARAT HEAVY ELECTRICALS LTD. & ORS.
... PETITIONER(S)

VERSUS

R. MOHAN RAO & ANOTHER ...RESPONDENT(S)

O R D E R

Mr. Gourab Banerji, learned Additional Solicitor General for the petitioners seeks withdrawal of Transfer Petition.

Transfer Petition is dismissed as withdrawn. The High Court of Madras shall hear and decide Writ Petition (MD) No. 6622 of 2010, titled as "R. Mohan Rao vs. The Secretary to Government, Ministry of Labour and Employment and others" appropriately in accordance with law.

.....J.
(R.M. LODHA)

NEW DELHI;J.
DECEMBER 3, 2013. (KURIAN JOSEPH)

Petition(s) for Special Leave to Appeal (Civil) No(s).21420-21421/2009

(From the judgment and order dated 29/01/2009 in RA No.39/2008 in WP No.9639/2007 and dated 14/05/2008 in WP No.9639/2007 of The HIGH COURT OF MADRAS)

THE MANAGEMENT B.H.E.L. & ORS. Petitioner(s)
VERSUS
B.H.E.L.EX-APPRENTICE ASSN.TRICHY Respondent(s)

(With prayer for interim relief and office report)

[FOR FINAL DISPOSAL]

WITH

SLP(C) NOs. 25392-25393 of 2009
(With appln.(s) for c/delay in filing SLP and office report)

SLP(C) NOs. 25642-25643 of 2009
(With office report)

SLP(C) NOs. 25645-25646 of 2009
(With office report)

SLP(C) NO. 25618-25619 of 2009
(With appln.(s) for c/delay in filing SLP and c/delay in refiling SLP and office report)

SLP(C) NOs. 25622-25623 of 2009
(With appln.(s) for c/delay in filing SLP and permission to file additional documents and office report)

SLP(C) NOs. 25620-25621 of 2009
(With appln.(s) for c/delay in filing SLP and c/delay in refiling SLP and permission to file additional documents and office report)

SLP(C) NO. 28239-28240 of 2009
(With appln.(s) for c/delay in filing SLP and c/delay in refiling SLP and office report)

SLP(C) NOs. 28245-28246 of 2009
(With appln.(s) for c/delay in filing SLP and c/delay in refiling SLP and permission to file additional documents and office report)

: 2 :

T.P.(C) NO. 183 of 2012
(With appln.(s) for stay and office report)

SLP(C) NOs. 28251-28252 of 2009
(With office report)

Date: 03/12/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE KURIAN JOSEPH

For Petitioner(s) Mr. Gaurab Banerji, A.S.G.
Mr. Saurav Agarwal, Adv.
Mr. Gautam Jha, Adv.
Mr. Sahil Tagotra, Adv.
Mr. Rajeev K. Dubey, Adv.
Mr. Ashish Tiwari, Adv.
Mr. Kamalendra Mishra, Adv.

For Respondent(s)

SLP 21420-21421 Mr. Basant R., Sr. Adv.

Mr. G. Balaji, Adv.

Ms. Mahalakshmi Pavani, Adv.

Mr. Karthik Ashok, Adv. for

M/s Mahalakshmi Balaji & Co.

Mr. V. Prakash, Sr. Adv.

Mr. S. Ramasubramani,

Adv.

Mr. Khwairakpam Nobin Singh, Adv.

Mr. Shekhar Kumar, Adv.

Mr. Anil Kumar Tandale, Adv.

UPON hearing counsel the Court made the following

O R D E R

T.P. (C) No. 183 of 2012:

Transfer Petition is dismissed as withdrawn in terms of signed order.

: 3 :

REMAINING MATTERS:

Delay condoned.

Leave granted.

Civil Appeals are disposed of in terms of separate signed orders. No costs.

Pending I.As, if any, stand disposed of.

|(Pardeep Kumar)

|AR-cum-PS

|(Renu Diwan)

|Court Master

[ELEVEN SIGNED ORDERS ARE PLACED ON THE FILE]

