

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 18881/2026

[Arising out of impugned final judgment and order dated 07-11-2025 in WP No. 3111/2021 passed by the High Court of Judicature at Bombay at Nagpur]

SUB AREA MANAGER

Petitioner(s)

VERSUS

PRESIDING OFFICER &amp; ORS.

Respondent(s)

IA No. 105028/2026 - CONDONATION OF DELAY IN FILING

IA No. 105027/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Date : 17-04-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MANOJ MISRA  
HON'BLE MR. JUSTICE MANMOHANFor Petitioner(s) :Mr. Tushar Mehta, Solicitor General  
Mr. Sumit Teterwal, AOR  
Mr. Hemant Arya, Adv.For Respondent(s) :Mr. Rajat Joseph, AOR  
Mr. Hrishikesh S. Chitaley, Adv.  
Mr. Kaustubh D. Kadasne, Adv.  
Mr. Sumit Kumar, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. Mr. Tushar Mehta, learned Solicitor General has appeared for the petitioner. He submits that a similar matter is being examined by this Court in Special Leave Petition (Civil) Diary No. 35154 of 2024, wherein following order was passed on 20.09.2024:

" Delay condoned.

2. Heard Mr. Tushar Mehta, Learned Solicitor

*General of India.*

3. *The primary submission of the counsel is that the direction given in favour of the coal mine workers is on the basis of unfair comparison made of two different groups of workers. To explain further, the counsel submits that the concerned workmen opted to work as category one laborer for which time-rated wages are payable. But the impugned direction is to pay them piece-rated wages. It is submitted that only the most productive mine workers opt for piece-rated wages as they are more capable and production and the others usually opt for time-rated work. But here, the Tribunal and the Courts have practically treated both categories on equal footing and ordered for parity benefit.*

4. *It is further submitted that no identification is made amongst the concerned workmen as to who is in the category of time-rated workmen and who is in the piece-rated workmen.*

5. *Furthermore, the settlement that was relied upon by the Tribunal to grant relief to the respondents was for a group of workmen who agreed to the request of the management to be converted from piece-rated to time-rated wages.*

6. *Issue notice, returnable in four weeks.*

7. *In the meantime, the Tribunal's Award dated 26.02.2009 pertaining to the differential wages and special piece-rated allowance is stayed."*

2. Delay condoned.

3. Issue notice.

4. Tag with Special Leave Petition (Civil) Diary No. 35154 of

2024.

5. In the meantime, the impugned award shall remain stayed.

(SACHIN KUMAR SRIVASTAVA)  
COURT MASTER (SH)

(SAPNA BANSAL)  
COURT MASTER (NSH)