

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). 7521 OF 2005

E.S.I.CORPORATION Appellant (s)

VERSUS

VRINDAVAN HOTELS (P) LTD. & ORS. Respondent(s)

Date: 29/10/2009 This Appeal was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Appellant(s) Mr. V.J. Francis,Adv.
Mr. Anupam Mishra, Adv.
For Respondent(s) M/S. T.T.K. Deepak & Co.(Not present)
Mr. K.R. Sasiprabhu ,Adv.(Not present)

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

The Appeal is allowed in terms of the signed order.

(Parveen Kr. Chawla) (Indu Satija)
Court Master Court Master

[Signed Order is placed on the File]
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO.7521 OF 2005

E.S.I. Corporation ..Appellant
versus
Vrindavan Hotels (P) Ltd. & Others ..Respondents

O R D E R

Heard Mr. V.J.Francis, learned counsel for the
appellant.

None appeared for the respondents, though they have
been served.

The point involved in this case is squarely covered

by the decisions of this Court rendered in Fertilizer & Chemicals Travancore Ltd. vs. Regional Director, ESIC & Others 2009 (11) SCALE 766, and Employees State Insurance Corporation vs. Bhakra Beas Management Board & Another 2009 (13) SCALE 8.

Accordingly, this appeal is allowed and the matter is remanded to the ESI Court for impleading the workers of the respondent No.1 or their union in a representative capacity and then decide this case afresh in the light of the aforesaid judgments. No order as to costs.

.....J.
[MARKANDEY KATJU]

NEW DELHI;J.
OCTOBER 29, 2009. [ASOK KUMAR GANGULY]