

ITEM NO.104

COURT NO.12

SECTION XI-A

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

CIVIL APPEAL NO. 4328/2012

MGMT. OF M/S EHT (C) DIVISION, BALASORE

Appellant(s)

VERSUS

G.S., OSEB WORKERS UNION & ORS.

Respondent(s)

Date : 29-11-2023 This appeal was called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

For Appellant(s) Mr. Raj Kumar Mehta, AOR
Ms. Himanshi Andley, Adv.

For Respondent(s) Mr. S. K. Verma, AOR
Mr. Atul Kumar, Adv.
Mr. Ahmad Ibrahim, Adv.
Mr. Abhimanyu Sharma, Adv.
Mrs. Deepali, Adv.
Mr. Arun Gaur, Adv.

Mr. Milind Kumar, AOR

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

1. Learned counsel for the appellant submits that an error has crept in the order passed on 01st November, 2023 on account of incorrect numbers in respect of the workmen furnished to this Court.
2. On the last date of hearing, it was stated by learned counsel for the respondents in terms of the information gathered by the Union representing the interest of 46 workmen, 10 workmen had already expired, 10 were not traceable despite best efforts made to contact them, thus leaving 26 workmen.

3. Learned counsel for the appellant had further submitted that out of 26 workmen whose names were mentioned in the list filed by the respondent No.1, 10 of them had never worked with the appellant-Management. The names of the said workmen were stated to be mentioned at Serial No.2,3,5,8,11,12,15,17, 18 and 20.

4. However, today, learned counsel for the appellant states that as per the list furnished by the respondents out of 46 workmen not 10, but 12 workmen have expired and not 10 but 8 are untraceable. This, position is confirmed by learned counsel for the respondents today. It is further stated that out of the remaining 26 workmen, not 10 but 13 of them never worked with the appellant-Management. Their names are mentioned at Serial No.2, 3, 5, 10, 11, 12, 13, 17, 18, 20, 23, 25 and 26 of the list furnished by learned counsel for respondent No.1.

5. Learned counsel for the appellant-Management states that he may be permitted to revert back with instructions on the compensation that the appellant-Management would be ready and willing to offer to the surviving 26 respondents for bringing a closure to the matter.

6. List on 30th November, 2023.

(Geeta Ahuja)
Assistant Registrar-cum-PS

(Nidhi Wason)
Court Master (NSH)