

ITEM NO.301

COURT NO.6

SECTION XV

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

Petition(s) for Special Leave to Appeal (C)

No.25452/2009

(Arising out of impugned final judgment and order dated 19/05/2009 in CSA No. 724/2002,19/05/2009 in CWP No. 4885/1991 passed by the High Court Of Rajasthan At Jaipur)

RAJASTHAN STATE ROAD TRANSPORT CORP.

Petitioner(s)

VERSUS

BUTA BEGUM (D) THR. LR. & ORS.

Respondent(s)

(With interim relief and office report)
(For final disposal)

WITH S.L.P.(C) No.25927/2009

(With appln.(s) for directions and interim relief and office report)

Date: 13/11/2014 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE V. GOPALA GOWDA

For Petitioner(s) Mr. Sushil Kumar Jain, Sr. Adv.
Mr. Abhinav Gupta, Adv.
Ms. Khushbu Jain, Adv.
Ms. Ankita Gupta, Adv.
Ms. Pratibha Jain, AOR

For Respondent(s) Mr. Tushar Mehta, ASG
Mr. Ram Naresh Yadav, Adv.
Mr. V. Sushant, Adv.
Ms. Ruchi Kohli, AOR

Signature Not Verified Mr. M.R. Calla, Sr. Adv.
Mr. Kumar Shashank, Adv.

Digitally signed by Chetan Kumar
Date: 2014.11.19 17:31:35 IST
Reason: Mr. Salav Sharma, Adv.
Mr. Ankit Acharya, Adv.
for M/s. Parekh & Co.

SLP 25452/09 Mr. P. Vinay Kumar, AOR
SLP(C) 25452/09

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

It is submitted by Mr. Tushar Mehta, learned Additional Solicitor General appearing for the State

e of
ated Rajasthan, that in pursuance of earlier order d
22nd September, 2014, the State Government had convened a
meeting and was in a fix to take a decision as thousands of
employees are there. At this juncture, Mr. M.R. Calla,
learned senior counsel appearing for the respondent No.1,
Rajasthan Parivahan Nigam Karamchari and Adhikari Ka

lyan Samiti, Jaipur, in S.L.P.(C) No.25927 of 2009, submitted that
there are only seventy-seven employees. On a query being
made, Mr. Sushil Kumar Jain, learned senior counsel appearing
for the Rajasthan State Road Transport Corporation, submitted
that there are 60 to 65 writ petitions pending in the High
Court of Rajasthan. Mr. Satish Kumar Parashar, Executive
Director (Legal), Rajasthan State Road Transport Corporation,
Jaipur, who is looking after these cases, has submitted that
each case before the High Court has been filed by
an individual petitioner. Whether the cases are same or not,
Mr. Jain and Mr. Calla shall obtain instructions.

the Mr. Calla has filed a chart which contains
amount payable to fourteen persons. It comes
to Rs.86,67,324/-. On being asked, whether the respond
ents would be satisfied by one time grant of the bene
fit, Mr. Calla fairly conceded to the same. Similar concession
has been given to by Mr. P. Vinay Kumar, learned counsel
appearing for the respondent in S.L.P.(C) No.25452 of 2009.
It is hereby made clear that when we say one time benefit, it
means that the legal representatives would not be entitled to
any kind of benefit after the death of the employee.

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he The Rajasthan Road Transport Corporation and t
State Government shall compute the amount on that score and
come with the figure, as prima facie we find that if the
computation of Mr. Calla is going to be accepted, t
he liability of the State Government in respect of eighty
persons would approximately come to Rs.3.5 crores and we are
sure that the State shall share this burden as a one time
measure where the employees who have suffered and a
re suffering can find some solace. We say no more on this
score. Yet, at the cost of repetition, we reiterate that the
State Government as a virtuous employer, as submitted by Mr.
Calla, would have a larger canvass of open mindedness and
live up to the concept of modern employer. Needless to
emphasize, as a settlement would be arrived at, as perceived
at present, the judgment of the High Court would be modified
accordingly and the settlement, which has been recorded,
would not be a precedent. To elaborate, the question of law
that has emanated in this case shall be kept open.

As prayed for by Mr. Tushar Mehta and Mr. Sushil
Kumar Jain, let the matters be listed on 24 th November, 2014,
at 2.00 p.m.

(Chetan Kumar)
Court Master

(H.S. Parasher)
Court Master