

ITEM NO.3

COURT NO.9

SECTION XVII

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 (Civil) No(s).3617/2006

(From the judgement and order dated 19/08/2005 in LPA No. 228/2004 of The
HIGH COURT OF JHARKHAND AT RANCHI)

CENTRAL COALFIELDS LTD. & ANR.

Petitioner(s)

VERSUS

RETIRED EMPLOYEES OF COAL ASSOcn.& ORS.

Respondent(s)

(With appln(s) for permission to file rejoinder affidavit and prayer for
interim relief
and office report)

WITH SLP(C) NO. 5117 of 2006

(With prayer for interim relief and office report)

Date: 13/03/2007 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. MATHUR

HON'BLE MR. JUSTICE DALVEER BHANDARI

For Petitioner(s)

Mr. Mohan Parasharan, ASG

Mr. Ajit Kumar Sinha,Adv.

For Respondent(s)

Mr. D.P. Mukherjee, Adv.

Mrs. Nandini Sen, Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard learned counsel for the parties.

We have gone through the judgments passed by the S
ingle
Judge and the Division Bench. In our view, the stand taken
by the

Division Bench appears to be just and reasonable.

Since the employees have already joined National Coal

Development Corporation and accepted that they will be governed by the

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recommendations of the Wage Board and they will not be governed by

any variation in the service conditions of the Central Government.

Once, it has been decided that the recommendations of the
Wage Board shall be applicable to the respondents after option being
exercised by them, the view taken by the High Court to fix up pension

payable to the respondents on the basis of the recommendations made

by the Wage Board after 1991 and to pay them revised pension and

arrears on such basis appears to be justified and there is no ground to

interfere.

It is made clear that whatsoever benefits have been

recommended by the Wage Board shall be given to these employees in

accordance with law by the appellant as early as possible.

The Special Leave Petitions are, accordingly, disposed of.

(Pardeep Kumar)

Court Master

(Radha R. Bhatia)

Court Master