

**IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NO(S). 7897-7907 OF 2024**

**YOGA EMPLOYEES  
ASSOCIATION & ORS.**

**APPELLANT(S)**

**VERSUS**

**UNION OF INDIA & ORS.**

**RESPONDENT(S)**

**WITH**

**CIVIL APPEAL NO. 7908 OF 2024**

**ORDER**

1. This order will dispose of a bunch of appeals bearing Civil Appeal No(s).7897-7907 of 2024 and Civil Appeal No.7908 of 2024.

**CIVIL APPEAL NO(S). 7897-7907 OF 2024**

2. The present appeals arise out of the judgment dated 21.08.2007 passed by the Delhi High Court in LPA Nos.2136-2146 of 2006. Vide the aforesaid common judgment, the order passed by Single Bench, dismissing the Writ Petitions<sup>1</sup>, was upheld.

**CIVIL APPEAL NO. 7908 OF 2024**

3. Challenge in the present appeal is to the order dated 11.08.2008 passed by the Delhi High Court in LPA No.458 of 2008, rejecting the claim of the appellants. The intra-court appeal was

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<sup>1</sup> Writ Petition (C) No.20496-20506 of 2005

against the judgment of the Single Bench of the High Court dated 02.04.2008 passed in Writ Petition (C) No. 2558 of 2008. The Writ Petition was dismissed on the ground of maintainability.

4. The facts are being noticed from Civil Appeal No.7908 of 2024 as the reliance in the other appeals is primarily with reference to the relief initially granted to the appellants in the present appeal.

5. It is not in dispute that the appellants were employees of Vishwayatan Yogashram<sup>2</sup> at Katra, Jammu and Kashmir. A lock out was declared in the Yogashram, which was challenged by the workmen before the Labour Court.<sup>3</sup> It was registered as File No. S62/L.C. In its award dated 26.07.1994, the Labour Court declared the lock out to be illegal and the workmen were held entitled to wages for the lock out period commencing from 30.04.1990 and even for the previous period from 01.06.1989 till 30.04.1990. It was an *ex-parte* award.

6. While the industrial dispute was still pending before the Labour Court, the respondent filed SWP No. 1158 of 1993 before the High Court<sup>4</sup> claiming absorption in the Central Research Institute for Yoga. On 24.05.1995, notice was issued in the aforesaid writ petition. As an interim measure the respondents therein were directed to consider the

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2 Hereinafter, “the Yogashram”

3 Industrial Tribunal / Labour Court, Jammu & Kashmir, Jammu

4 High Court of Jammu & Kashmir and Ladakh at Jammu

case of the petitioners in case they were otherwise eligible. Alleging that the aforesaid interim direction was not complied with, a Contempt Petition bearing COA (SWP) Contempt No.60 of 1995 was filed, impleading the Secretary to the Government of India, Ministry of Health and Family Welfare along with the Director and the President of the Governing Body, Central Research Institute for Yoga. It was under the threat of contempt that the appellants were given appointment. Immediately thereafter, vide order dated 22.02.1996, the Contempt Petition was dismissed as withdrawn.

7. As submitted by the learned counsel for the appellants, the aforesaid writ petition filed by the appellants was finally not pressed and was dismissed as withdrawn.

8. Realizing their mistake later, the Government of India passed two orders on 11.01.2008 and 14.01.2008, to stop grant in aid being provided to the Delhi and Katra centers of the Yogashram, as a consequence, payment of salaries to the employees was stopped. The orders were challenged before the Delhi High Court, praying for setting aside the aforesaid orders and seeking direction for payment of their salaries. The Single Bench of the Delhi High Court dismissed the Writ Petition<sup>5</sup> vide order dated 02.04.2008, which was upheld by the Division Bench vide impugned order dated 11.08.2008.

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<sup>5</sup> Writ Petition (C) No. 2558 of 2008

9. Learned counsel for the appellants submitted that even prior to the adjustment of the appellants, the payment of salaries to them was being made from the grant in aid provided by the Government of India, to the Asharam at Katra. After their adjustment, they served the Government for more than a decade. However, they were removed unceremoniously.

10. Similar is the claim by the employees who were working at Delhi Centre of the Yogashram. They filed the Writ Petition<sup>6</sup> relying upon the order passed in favour of the employees who were working at Katra Centre of the Yogashram. The Single Bench of Delhi High court dismissed the Writ Petition vide order dated 10.10.2006. The same was upheld by the Division Bench vide the Impugned Order dated 21.08.2007. Otherwise, on an earlier occasion, a Writ Petition<sup>7</sup> filed by them was dismissed by the Division Bench of the Delhi High Court vide order dated 16.01.1991.

11. On the other hand, learned counsel for the respondents submitted that the case in hand is unique. In terms of the innocuous directions issued by the High Court<sup>8</sup> and under the threat of contempt, an order was passed for the adjustment of the appellants and the salaries were also paid. The smartness of the appellants is evident

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6 Writ Petition (C) No.20496-20506 of 2005

7 CW No.127 of 1991

8 High Court of Jammu and Kashmir and Ladakh at Jammu

from the fact that immediately after their adjustment, they had withdrawn the Contempt Petition and also the Writ Petition. The claim made by them was never examined on merits. In fact, the appellants were employees of a private Yogashram. The Government of India had nothing to do with that. Even the Writ Petition was filed during the pendency of the industrial dispute before the Labour Court. In fact, the Writ Petition itself was not maintainable. However, the appellants did not let the High Court decide the issue on merits.

12. Realizing their mistake, the matter was examined by the respondents and the orders, which were impugned before the Delhi High Court, i.e., orders dated 11.01.2008 and 14.01.2008 were passed by the Government of India. The same have rightly been upheld by the High Court. He lastly stated that there is no merit in the present appeals and the same deserve to be dismissed.

13. After hearing learned counsel for the parties, we do not find any merit in the present appeals. The appellants in CA No. 7908 of 2024 were employees of a private Yogashram and not the Government of India. On account of the declaration of lockout at the Yogashram, they raised an industrial dispute. While the same was still pending, Writ Petition was filed in the High Court<sup>9</sup> praying for their absorption in the Central Research Institute for Yoga. While issuing

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9 High Court of Jammu and Kashmir at Jammu

notice in the aforesaid Writ Petition, the High Court vide innocuous order, directed for consideration of the case of the appellants. As there was some delay, though no timeline had been fixed, the appellants filed Contempt Petition, impleading the Secretary to the Government of India, Ministry of Health and Family Welfare along with the Director and the President of the Governing Body, Central Research Institute for Yoga. It was under the threat of contempt that the Government passed orders regarding absorption of the appellants. The Contempt Petition was dismissed as withdrawn. Subsequent thereto, even the writ petition was also dismissed as withdrawn. Meaning thereby, there was no adjudication of the claim of the appellants on merits by any Court. It is not in dispute that they were employees of a private Yogashram and had never been appointed by the government. Even maintainability of the writ petition was an issue.

14. At this stage, we may refer to the order passed by Division Bench of Delhi High Court in an earlier Writ Petition No. 127 of 1991, filed by the appellants in Civil Appeal No. 7897-7907 of 2024. The Writ Petition was dismissed on 16.01.1991 by passing the following order:

“The reliefs which are claimed in this writ petition are against respondent No.3 who is the managing trustee of a Yoga Ashram and also against the Union of India. The relief which is claimed against respondent No.3 is that the orders terminating the services of the employees should be quashed

and respondent No.3 should be prohibited from disposing the assets owned by Yoga Ashram. We, however, find that Yoga Ashram is a society registered under the Societies Registration Act and had its own constitution and Board of Trustees. Furthermore respondent No.3 is the permanent managing trustee of the Society and the Society is to consist of a general body which is composed of donor members and ordinary members. Even though there are three nominees of Government on the Trust they do not constitute a majority and furthermore on the dissolution of the Society the funds do not revert to the Government but are to be donated to another organization. The said Yoga Ashram is not a state within the meaning of Article 12 of the Constitution and no writ petition against the Yoga Ashram is maintainable.

With regard to the prayer for taking over of management by the Union Government, the learned counsel for the petitioner is unable to show us any provision of law which gives the Government power or right to take over a management of a Society which is registered under the Societies Registration Act. Furthermore, we find nothing on record to show that assets are not owned by Yoga Ashram and that they are owned by the Government. Merely because grants may have been received by the Yoga Ashram does not mean that the funds continued to be the property of the Government. Once a grant is given it is the recipient which has a dominion over the same and could use the same in accordance with the terms of the grant.

For the aforesaid reason this writ petition is dismissed.”

15. Even though the claim of the employees working in the centre of the Yogashram at Delhi was earlier rejected by Delhi High Court, they filed fresh Writ Petition Nos. 20496-20506 of 2005 relying upon the relief granted to the employees working at Katra centre of the Yogashram. The Single Bench of the High Court found that the petitioners therein had tried to mislead the court by concealing the factum of dismissal of their earlier Writ Petition. Subsequently, the Writ Petitions were dismissed with cost. The order was upheld by the Division Bench of the High Court in LPA No. 2136-2146 of 2006.

16. In the aforesaid factual matrix, no case is made out for interference with the impugned orders passed by Delhi High Court. The appeals are accordingly dismissed.

17. Pending application (s), if any, stand disposed of.

.....J.  
(RAJESH BINDAL)

.....J.  
(MANMOHAN)

NEW DELHI;  
August 07, 2025.

ITEM NO.134

COURT NO.16

SECTION XIV-A

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). 7897-7907/2024

YOGA EMPLOYEES ASSOCIATION & ORS.

Appellant(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

WITH

C.A. No. 7908/2024 (XIV-A)

(FOR [APP FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS] ON IA  
1/2008 FOR ON IA 17498/2009

FOR ON IA 3/2010

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA  
2123/2018

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA  
57334/2018

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA  
47607/2019

IA No. 1/2008 - APP FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS

IA No. 47607/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/  
ANNEXURES

IA No. 57334/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/  
ANNEXURES

IA No. 2123/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/  
ANNEXURES)

Date : 07-08-2025 These appeals were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE RAJESH BINDAL  
HON'BLE MR. JUSTICE MANMOHAN

For Appellant(s) : Mr. S.C. Singhal, Adv.  
Mr. Padam Kant Saxena, Adv.  
Ms. Megha Gaur, Adv.  
Mr. Vibhav Mishra, Adv.  
Mr. Parmanand Gaur, AOR

Mr. Vikas Mehta, AOR

For Respondent(s) : Mr. Sudarshan Lamba, AOR  
Mr. Vikramjit Banerjee, A.S.G.  
Ms. Seema Bengani, Adv.  
Ms. Vimla Sinha, Adv.

Mr. Annirudh Sharma-(ii), Adv.

Mr. Vikramjit Banerjee, A.S.G.

Mr. Mukesh Kumar Maroria, AOR

Mrs. Vimla Sinha, Adv.

Mr. Udai Khanna, Adv.

Mrs. Seema Bengani, Adv.

Mr. Annirudh Sharma Ii, Adv.

Mr. Mohan Prasad Gupta, Adv.

Mr. R. M. Bagai, Adv.

Mr. Dhananjay Garg, AOR

UPON hearing the counsel the Court made the following

O R D E R

The appeals are dismissed in terms of the signed order.

Pending application(s), if any, stand disposed of.

(NITIN TALREJA)  
ASTT. REGISTRAR-cum-PS

(AKSHAY KUMAR BHORIA)  
COURT MASTER (NSH)

(Signed order is placed on the file)