

ITEM NO.21

COURT NO.5

SECTION X

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

CONTEMPT PETITION(C) NO. 411/2014 IN WRIT PETITION(C) NO. 246/2011

AVISHEK RAJA &amp; ORS.

Petitioner(s)

VERSUS

SANJAY GUPTA

Respondent(s)

(With appln.(s) for c/delay in filing affidavit, exemption from filing O.T., impleadment, seeking permission to bring additional facts and office report)

WITH

Contempt Petition(C) No(s). 33/2015 In W.P.(C) No. 246/2011

(With appln.(s) for directions, permission to place addl. documents on record and Office Report)

Contempt Petition(C) No(s). 572/2014 In W.P.(C) No. 246/2011

(With appln.(s) for exemption from filing O.T., impleadment and permission to file rejoinder affidavit)

Contempt Petition(C) No(s). 34/2015 In W.P.(C) No. 246/2011

(With Office Report)

Contempt Petition(C) No(s). 571/2014 In W.P.(C) No. 246/2011

(With appln.(s) for deletion of the name of petitioner and Office Report)

Contempt Petition(C) No(s). 38/2015 In W.P.(C) No. 246/2011

(With appln.(s) for permission to bring and place addl. documents on record and Office Report)

Contempt Petition(C) No(s). 46/2015 In W.P.(C) No. 246/2011

(With appln.(s) for directions and Office Report)

Contempt Petition(C) No(s). 50/2015 In W.P.(C) No. 264/2012

(With appln.(s) for permission to file additional documents and Office Report)

Contempt Petition(C) No(s). 158/2015 In W.P.(C) No. 510/2011

(With Office Report)

Contempt Petition(C) No(s). 174/2015 In W.P.(C) No. 510/2011

(With Office Report)

Contempt Petition(C) No(s). 101/2015 In W.P.(C) No. 246/2011

(With Office Report)

Contempt Petition(C) No(s). 103/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt Petition(C) No(s). 104/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt Petition(C) No(s). 105/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt Petition(C) No(s). 106/2015 In W.P.(C) No. 246/2011  
(With appln.(s) for impleadment and Office Report)

Contempt Petition(C) No(s). 107/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt Petition(C) No(s). 108/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt Petition(C) No(s). 109/2015 In W.P.(C) No. 246/2011  
(With appln.(s) for permission to place addl. documents on record,  
exemption from filing O.T. and Office Report)

Contempt Petition(C) No(s). 110/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt Petition(C) No(s). 111/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt Petition(C) No(s). 112/2015 In W.P.(C) No. 246/2011  
(With appln.(s) for permission to bring additional facts and  
documents on record and Office Report)

Contempt Petition(C) No(s). 113/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt Petition(C) No(s). 120/2015 In W.P.(C) No. 246/2011  
(With appln.(s) for directions, permission to place addl. documents  
on record and Office Report)

Contempt Petition(C) No(s). 121/2015 In W.P.(C) No. 246/2011  
(With appln.(s) for permission to bring additional facts and  
documents on record and Office Report)

Contempt Petition(C) No(s). 127/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt Petition(C) No(s). 128/2015 In W.P.(C) No. 246/2011  
(With appln.(s) for directions, impleadment and Office Report)

Contempt Petition(C) No(s). 129/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt Petition(C) No(s). 131/2015 In W.P.(C) No. 246/2011  
(With appln.(s) for permission to place addl. documents on record,  
impleadment and Office Report)

Contempt Petition(C) No(s). 132/2015 In W.P.(C) No. 246/2011  
(With appln.(s) for permission to place addl. documents on record  
and appln.(s) for impleadment and Office Report)

Contempt Petition(C) No(s). 133/2015 In W.P.(C) No. 246/2011  
(With appln.(s) for permission to place addl. documents on record  
and Office Report)

Contempt Petition(C) No(s). 134/2015 In W.P.(C) No. 246/2011  
(With appln.(s) for permission to place addl. documents on record  
and Office Report)

Contempt Petition(C) No(s). 149/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt Petition(C) No(s). 150/2015 In W.P.(C) No. 246/2011  
(With appln.(s) for directions, intervention and Office Report)

Contempt Petition(C) No(s). 151/2015 In W.P.(C) No. 246/2011  
(With appln.(s) for permission to place addl. documents on record  
and Office Report)

Contempt Petition(C) No(s). 152/2015 In W.P.(C) No. 246/2011  
(With appln.(s) for permission to place addl. documents on record  
and Office Report)

Contempt Petition(C) No(s). 153/2015 In W.P.(C) No. 246/2011  
(With appln.(s) for permission to place addl. documents on record  
and Office Report)

Contempt Petition(C) No(s). 154/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt Petition(C) No(s). 155/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt Petition(C) No(s). 102/2015 In W.P.(C) No. 246/2011  
(With appln.(s) for impleadment and Office Report)

Contempt Petition(C) No(s). 157/2015 In W.P.(C) No. 510/2011  
(With Office Report)

Contempt Petition(C) No(s). 283/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt Petition(C) No(s). 284/2015 In W.P.(C) No. 246/2011  
(With appln.(s) for permission to place addl. documents on record

and Office Report)

Contempt Petition(C) No(s). 285/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt Petition(C) No(s). 286/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt Petition(C) No(s). 290/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt Petition(C) No(s). 287/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt Petition(C) No(s). 288/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt Petition(C) No(s). 291/2015 In W.P.(C) No. 246/2011  
(With appln.(s) for appeal against Registrar's order and Office Report)

Contempt Petition(C) No(s). 450/2014 In W.P.(C) No. 264/2012  
(With appln.(s) for permission to submit additional document(s) and Office Report)

Contempt Petition(C) No(s). 385/2014 In W.P.(C) No. 264/2012  
(With appln.(s) to place the relevant documents, for permission to file additional documents and Office Report)

Contempt petition (C) D.No.25425/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt petition (C) D.No.25424/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt petition (C) D.No.25423/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt petition (C) D.No.25427/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt petition (C) D.No.25426/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt petition (C) D.No.25583/2015 In W.P.(C) No. 246/2011  
Office Report)

Contempt petition (C) D.No.21713/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt petition (C) D.No.25577/2015 In W.P.(C) No. 246/2011  
(With Office Report)

Contempt petition (C) D.No.12967/2015 In W.P. (C) No. 246/2011  
(With Office Report)

Contempt petition (C) D.No.25581/2015 In W.P. (C) No. 246/2011  
(With Office Report)

Contempt petition (C) D.No.23904/2015 In W.P. (C) No. 246/2011  
(With Office Report)

Contempt petition (C) D.No.25578/2015 In W.P. (C) No. 246/2011  
(With Office Report)

Contempt petition (C) D.No.25579/2015 In W.P. (C) No. 246/2011  
(With Office Report)

Contempt Petition(C) No(s). 570/2014 In W.P. (C) No. 246/2011  
(With appln.(s) for impleadment, discharge of advocate on record,  
intervention and Office Report)

Contempt petition (C) D.No.25431/2015 In W.P. (C) No. 246/2011  
(With Office Report)

Contempt petition (C) D.No.25432/2015 In W.P. (C) No. 246/2011  
(With Office Report)

Contempt petition (C) D.No.26077/2015 In W.P. (C) No. 246/2011  
(With Office Report)

Contempt petition (C) D.No.26256/2015 In W.P. (C) No. 246/2011  
(With Office Report)

Contempt petition (C) D.No.26078/2015 In W.P. (C) No. 246/2011  
(With Office Report)

Contempt petition (C) D.No.25430/2015 In W.P. (C) No. 246/2011  
(With Office Report)

Contempt petition (C) D.No.8429/2016 In W.P. (C) No. 246/2011  
(With Office Report)

Contempt petition (C) D.No.20025/2016 In W.P. (C) No. 246/2011  
(With Office Report)

Contempt petition (C) D.No.23037/2016 In W.P. (C) No. 246/2011  
(With Office Report)

Contempt petition (C) D.No.18567/2016 In W.P. (C) No. 246/2011  
(With Office Report)

Contempt petition (C) D.No.27528/2016 In W.P. (C) No. 246/2011  
(With Office Report)

Date : 04/10/2016 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI  
HON'BLE MR. JUSTICE PRAFULLA C. PANT

For Petitioner(s) Mr. Parmanand Pandey, Adv.  
Mr. Utkarsh Pandey, Adv.  
Mr. Skumar, Adv.  
Mr. Kunwar Jai Singh, Adv.  
Ms. Sangita Rai, Adv.

Mr. Shekhar Kumar, Adv.

Mr. Dinesh Kumar Garg, Adv.

Mr. Colin Gonsalves, Sr. Adv.  
Mr. R.K. Sinha, Adv.  
Mr. Nitin Kumar Thakur, Adv.

Mr. Kunal Verma, Adv.

Mr. Colin Gonsalves, Sr. Adv.  
Mr. Fidel Subestian, Adv.  
Mr. Satya Mitra, Adv.

Mr. M. Rambabu, Adv.  
Mr. N. Eswara Rao, Adv.  
For M/s. M. Rambabu & Co.

Mr. Kedar Nath Tripathy, Adv.

Mr. Abhinav Mukerji, Adv.

Mr. H. K. Chaturvedi, Adv.

Mr. Pijush K. Roy, Adv.  
Ms. Kakali Roy, Adv.  
Mr. Rajan K. Chourasia, Adv.

Mr. Akshay Verma, Adv.  
Mr. Akashdeep Verma, Adv.  
Mr. Praveen Swarup, Adv.

Mr. Umesh Sharma, Adv.  
Ms. Sunita Bhardwaj, Adv.  
Ms. Farha Faiz, Adv.  
Mr. Satish Kumar, Adv.  
Mr. R.P. Vijay, Adv.  
Mr. Pankaj Kmar Singh, Adv.  
Mr. Sunil Vijay, Adv.

Mr. Raj Singh Rana, Adv.

Mr. P. N. Puri, Adv.

Mr. Colin Gonsalves, Sr. Adv.

Mr. Rakesh Mishra, Adv.

Mr. Milind Kumar, Adv.

Mr. Dhiraj K. Sammi, Adv.

Mr. Balraj Dewan, Adv.

Mr. P. George Giri, Adv.

Mr. Akshay Verma, Adv.

Mr. Akashdeep Verma, Adv.

Mr. Narender Kumar Verma, Adv.

Mr. Barn Kumar Singh, Adv.

Ms. Pratibha Sinha, Adv.

Mr. Rameshwar Prasad Goyal, Adv.

For Respondent(s)

Mr. P.P. Rao, Sr. Adv.

Mr. Mohan Parasaran, Sr. Adv.

Mr. A. Raghunath, Adv.

Mr. Rajhans pandey Rajeev, Adv.

Mr. Purushaindra Kumar, AAG

Mr. Arjun Garg, Adv.

Mr. Ishan Nagar, Adv.

Mr. Sapam Biswajit Meitei, Adv.

Mr. Ashok Kumar Singh, Adv.

Mr. M. Ghanashyam Singh, Adv.

Mr. P.P. Rao, Sr. Adv.

Mr. K. Datta, Adv.

Mr. Birendra Kumar Mishra, Adv.

Mr. Ashish Verma, Adv.

Ms. Poonam Atey, Adv.

Mr. C. D. Singh, AAG.

Ms. Shashi Juneja, Adv.

Ms. Sakshi Kakkar, Adv.

Ms. Saumya Kalra, Adv.

Mr. Chandra Prakash, Adv.

Mr. Siddhartha Dave, Adv.

Mr. Chirag M. Shroff, Adv.

Mr. C. K. Sasi, Adv.

Mr. Manukrishnan, Adv.

Mr. D. S. Mahra, Adv.

Mr. Guntur Prabhakar, Adv.

Mr. K. V. Vijayakumar, Adv.  
Mr. P.J. Janani, Adv.

Mr. Colin Gonsalves, Sr. Adv.  
Mr. R.K. Sinha, Adv.  
Mr. Nitin Kumar Thakur, Adv.

Mr. Ashwin Vaish, Adv.  
Mr. Vinod Kumar Pandey, Adv.  
Mr. Nitin Kumar Thakur, Adv.

Mr. Soumik Ghosal, Adv.  
Mr. Parijat Sinha, Adv.

Mr. Ranjan Mukherjee, Adv.

Mr. Ravi Prakash Mehrotra, Adv.  
Mr. Ashutosh Kumar Sharma, Adv.

Mr. Rudreshwar Singh, Adv.  
Mr. Samir Ali Khan, Adv.  
Mr. Gopal Jha, Adv.  
Mr. Gautam Singh, Adv.

Mr. Sibbo Sankar Mishra, Adv.

Mr. R. Viduthalai, Sr. Adv.  
Mr. V. G. Pragasam, Adv.  
Mr. S. Prabu Ramasubramanian, Adv.  
Mr. K.V. Jagadishwaran, Adv.  
Ms. G. Indira, Adv.

Mr. Vijendra Kasana, Adv.  
Mr. Chand Qureshi, Adv.  
Mr. M.P. Siddiqui, Adv.

Mr. V. N. Raghupathy, Adv.

Ms. Aruna Mathur, Adv.  
Mr. Yusuf Khan, Adv.  
Mr. Avneesh Arputham, Adv.  
Ms. Anuradha Arputham, Adv.  
M/s Arputham Aruna & Co.

M/s Corporate Law Group.

Mr. K.V. Jagdishvaran, Adv.  
Ms. G. Indira, Adv.  
Mr. Balasbramanian, Adv.

Ms. Hemantika Wahi, Adv.  
Ms. Aagam Kar, Adv.  
Ms. Mamta Singh, Adv.  
Ms. Yoga Maya, Adv.

Ms. K. Enatoli Sema, Adv.  
Mr. Edward Belho, Adv.  
Mr. Amit Kumar Singh, Adv.  
Mr. K. Likang Michael, Adv.

Ms. Rachana Srivastava, Adv.  
Ms. Monika, Adv.  
Mr. Sukrit R. Kapoor, Adv.  
Dr. Anand Srivastava, Adv.

Mr. Arjun Vinod Bobde, Adv.  
Ms. Richa Relhan, Adv.  
Mr. Rajat Joseph, Adv.

Mr. C.U. Singh, Sr. Adv.  
Mr. Gopal Jain, Sr. Adv.  
Mr. Debmalya Banerjee, Adv.  
Mr. Jasmeet Singh, Adv.  
Mr. A.S. Aman, Adv.  
Mr. Manish Sharma, Adv.  
Ms. Manik Karanjawala, Adv.  
M/s. Karanjawala & Co.

Mr. Gopal Jain, Sr. Adv.  
Mr. Ajay Choudhary, Adv.  
Mr. Vinay Rajput, Adv.

Mr. Jayant Kumar Mehta, Adv.  
Mr. Abhijeet Srivastava, Adv.  
Mr. Aditya Singhal, Adv.

Mr. Salman Khurshid, Sr. Adv.  
Mr. N.K. Mody, Sr. Adv.  
Mr. Adarsh Tripathi, Adv.  
Ms. Pragya Baghel, Adv.

Mr. Amol Chitale, Adv.  
Ms. Pragya Baghel, Adv.

Mr. Arvind Datar, Sr. Adv.  
Mr. Nachiket Joshi, Adv.  
Mr. Anil Shrivastav, Adv.

Mr. Devashish Bharuka, Adv.

Mr. Mahabir Singh, Sr. Adv.

Mr. Gautam Awasthi, Adv.

Mr. Ayush Chaudhari, Adv.

Ms. Preeti Singh, Adv.

Mr. Rahul Tripathi, Adv.

Mr. Satya Prakash, Adv.

Mr. Manu Beri, Adv.

Ms. V.D. Khanna, Adv.

Mr. Tarun Gupta, Adv.

Ms. Anuradha Mutatkar, Adv.

Ms. Vanshaja Shukla, Adv.

Mr. Siddharth Bhamba, Adv.

Mr. Rachit Shrivastav, Adv.

Mr. K. Krishna Kumar, Adv.

Mr. Subhash Chandran K.R., Adv.

Mr. Shuvodeep Roy, Adv.

Mr. G.M. Kawoosa, Adv.

Mr. Sunil Fernandes, Adv.

Mr. Nishant R. Katneshwarkar, Adv.

Mr. Tapeshe Kumar Singh, Adv.

Mr. Mohd. Waqas, Adv.

Mr. Aditya Pratap Singh, Adv.

Mr. Suryanarayana Singh, Sr.AAG

Ms. Pragati Neekhara, Adv.

Ms. Vibha Dutta Makhija, Sr. Adv.

Mr. S. Wasim A. Qadri, Adv.

Mr. D.L. Chidanand, Adv.

Mr. Amrish Kumar Sharma, Adv.

Mr. Zaid Ali, Adv.

Mr. S.S. Shamshery, AAG

Mr. Amit Sharma, Adv.

Mr. Prateek Yadav, Adv.

Mr. Ankit Raj, Adv.

Ms. Ruchi Kohli, Adv.

Mr. Saurabh Ajay Gupta, AAG

Mr. Nishant Bishnoi, Adv.

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

We have heard the learned counsels for the parties. We have considered the status reports filed by the Labour Commissioners of the concerned States.

The monitoring in respect of State of Nagaland is closed. So far as the State of Maharashtra is concerned, the State is granted further two weeks' time to file its response.

Insofar as the States of Uttar Pradesh, Himachal Pradesh, Uttarakhand, Manipur, Madhya Pradesh, Chhattisgarh, Delhi and Jharkhand are concerned, we direct that all revenue recovery proceedings which are pending shall be completed at the earliest.

In respect of such of the defaulting units against whom recovery proceedings have not been initiated, the same shall be initiated and completed at the earliest.

In all cases where there is a dispute with regard to the amount payable, we direct the State Governments to act under the provisions of Section 17(2) of the Working Journalists and Other

Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955. The concerned Labour Court will finalize its award expeditiously and send the same to the State Government for due execution.

Insofar as the legal issues that have to be heard and decided are concerned, Shri Colin Gonsalves, learned senior counsel, who had agreed to identify and carve out the principles that would be required to be decided in these cases, is granted two weeks further time to formulate the said questions and file appropriate written notes.

We make it clear on the next date fixed, the Court will hear the aforesaid legal questions and pass necessary orders thereon.

List these matters on 8<sup>th</sup> November, 2016 at 2.00 p.m.

On the said date i.e. 8<sup>th</sup> November, 2016, status report with regard to the implementation of the Majithia Wage Board recommendations in respect of the following five States shall be placed before the Court for consideration:

- (1) Tamil Nadu
- (2) Kerala

(3) Andhra Pradesh

(4) Karnataka

(5) Telangana

We also direct that copies of the status reports filed by all the States till date be circulated to the learned counsels appearing for the contesting establishments.

Contempt Petition(C)No.570/2014 In W.P.(C) No. 246/2011

Leave sought for withdrawal of the contempt petition is allowed. This contempt petition is accordingly closed.

All pending applications shall also stand disposed of.

(Neetu Khajuria)  
Court Master

(Asha Soni)  
Court Master

(Signed order in Contempt Petition(C) No.570/2014 in W.P.(C) No.246/2011 is placed on the file.)

