

ITEM NO.2+50

COURT NO.7

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 SCONTEMPT PETITION(C) No.411/2014 In WRIT PETITION(C) No.246/2011

AVISHEK RAJA & ORS.

Petitioner(s)

VERSUS

SANJAY GUPTA

Respondent(s)

(with appln. (s) for exemption from filing O.T., impleadment seeking permission to bring additional facts and office report)

WITH

CONTEMPT PETITION (C) NO.33/2015 IN WRIT PETITION (C) NO.246/2011
(With appln.(s) for permission to place addl. documents on record and Office Report)

CONTEMPT PETITION (C) NO.572/2014 IN WRIT PETITION (C) NO.246/2011
(With appln.(s) for exemption from filing O.T., permission to file rejoinder affidavit, impleadment and Office Report)

CONTEMPT PETITION (C) NO.34/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) NO.571/2014 IN WRIT PETITION (C) NO.246/2011
(With appln.(s) for deletion of the name of petitioner and Office Report)

CONTEMPT PETITION (C) NO.38/2015 IN WRIT PETITION (C) NO.246/2011
(With appln.(s) for permission to bring additional facts and documents on record and Office Report)

CONTEMPT PETITION (C) NO.46/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report, with application for directions)

CONTEMPT PETITION (C) NO.50/2015 IN WRIT PETITION (C) NO.264/2012
(With appln.(s) for permission to file additional documents and Office Report)

CONTEMPT PETITION (C) NO.158/2015 IN WRIT PETITION (C) NO.510/2011
(With Office Report)

CONTEMPT PETITION (C) NO.174/2015 IN WRIT PETITION (C) NO.510/2011
(With Office Report)

CONTEMPT PETITION (C) NO.101/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) NO.103/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) NO.104/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) NO.105/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) NO.106/2015 IN WRIT PETITION (C) NO.246/2011
(With appln.(s) for impleadment and Office Report)

CONTEMPT PETITION (C) NO.107/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) NO.108/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) NO.109/2015 IN WRIT PETITION (C) NO.246/2011
(With appln.(s) for impleadment, permission to place addl.
documents on record, exemption from filing O.T. and Office Report)

CONTEMPT PETITION (C) NO.110/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) NO.111/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) NO.112/2015 IN WRIT PETITION (C) NO.246/2011
(With appln.(s) for permission to bring additional facts and
documents on record and Office Report)

CONTEMPT PETITION (C) NO.113/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) NO.120/2015 IN WRIT PETITION (C) NO.246/2011
(With appln.(s) for directions, permission to place addl. documents
on record and Office Report)

CONTEMPT PETITION (C) NO.121/2015 IN WRIT PETITION (C) NO.246/2011
(With appln.(s) for permission to bring additional facts and
documents on record and Office Report)

CONTEMPT PETITION (C) NO.127/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) NO.128/2015 IN WRIT PETITION (C) NO.246/2011
(With appln.(s) for impleadment and Office Report)

CONTEMPT PETITION (C) NO.129/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) NO.131/2015 IN WRIT PETITION (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.132/2015 IN WRIT PETITION (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.133/2015 IN WRIT PETITION (C) NO.246/2011
(With appln.(s) for permission to place addl. documents on record and Office Report)

CONTEMPT PETITION (C) NO.134/2015 IN WRIT PETITION (C) NO.246/2011
(With appln.(s) for permission to place addl. documents on record and Office Report)

CONTEMPT PETITION (C) NO.149/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) NO.150/2015 IN WRIT PETITION (C) NO.246/2011
(With appln.(s) for intervention, appln for directons and Office Report)

CONTEMPT PETITION (C) NO.151/2015 IN WRIT PETITION (C) NO.246/2011
(With appln.(s) for permission to place addl. documents on record and Office Report)

CONTEMPT PETITION (C) NO.152/2015 IN WRIT PETITION (C) NO.246/2011
(With appln.(s) for permission to place addl. documents on record and Office Report)

CONTEMPT PETITION (C) NO.153/2015 IN WRIT PETITION (C) NO.246/2011
(With appln.(s) for permission to place addl. documents on record and Office Report)

CONTEMPT PETITION (C) NO.154/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) NO.155/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) NO.102/2015 IN WRIT PETITION (C) NO.246/2011
(With appln.(s) for impleadment and Office Report)

CONTEMPT PETITION (C) NO.157/2015 IN WRIT PETITION (C) NO.510/2011
(With Office Report)

CONTEMPT PETITION (C) NO.283/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) NO.284/2015 IN WRIT PETITION (C) NO.246/2011
(With appln.(s) for permission to place addl. documents on record and Office Report)

CONTEMPT PETITION (C) NO.285/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) NO.286/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) NO.290/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) NO.287/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) NO.288/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) NO.291/2015 IN WRIT PETITION (C) NO.246/2011
(With appln.(s) for appeal against Registrar's order and Office Report)

CONTEMPT PETITION (C) NO.450/2014 IN WRIT PETITION (C) NO.264/2012
(With appln.(s) for permission to submit additional document(s) and Office Report)

CONTEMPT PETITION (C) NO.385/2014 IN WRIT PETITION (C) NO.264/2012
(With appln.(s) for permission to file additional documents, to place the relevant documents and Office Report)

CONTEMPT PETITION (C) D 25425/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) D 25424/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) D 25423/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) D 25427/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) D 25426/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) D 25583/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) D 21713/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) D 25577/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) D 12967/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) D 25581/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) D 23904/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) D 25578/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) D 25579/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) NO.570/2014 IN WRIT PETITION (C) NO.246/2011
(With appln.(s) for intervention, discharge of advocate on record
and Office Report)

CONTEMPT PETITION (C) D 25431/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) D 25432/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) D 26077/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) D 26256/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) D 26078/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) D 25430/2015 IN WRIT PETITION (C) NO.246/2011
(With Office Report)

CONTEMPT PETITION (C) D 8429/2016 IN WRIT PETITION (C) NO.246/2011

Date : 14/03/2016 These petitions were called on for hearing today.

CORAM :

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

For the parties

Mr. Parmanand Pandey, Adv.
Mr. Utkarsh Pandey, Adv.
Mr. Kunwar Jai Singh, Adv.
Ms. Sangita Rai, Adv.

Mr. Shekhar Kumar, Adv.

Mr. Dinesh Kumar Garg, Adv.
Mr. Dhananjay Garg, Adv.

Mr. Deepak Mishra, Adv.

Mr. Nitin Kumar Thakur, Adv.

Ms. Yugandhara Jha, Adv.

Mr. Kunal Verma, Adv.

Mr. Colin Gonsalves, Sr. Adv.

Mr. Fidal Subastian, Adv.

Mr. Satya Mitra, Adv.

Mr. Rajiv Shankar Dvivedi, Adv.

Mr. Neeraj Dubey, Adv.

Mr. Kedar Nath Tripathy, Adv.

Mr. Shambo Nandy, Adv.

Mr. Abhinav Mukerji, Adv.

Mr. H. K. Chaturvedi, Adv.

Mr. Pijush K. Roy, Adv.

Mrs. Kakali Roy, Adv.

Mr. Rajan K. Chourasia, Adv.

Mr. Akshay Verma, Adv.

Mr. Akashdeep Verma, Adv.

Mr. Praveen Swarup, Adv.

Mr. Narender Kumar Verma, Adv.

Mr. Satish Kumar, Adv.

Mr. Raj Singh Rana, Adv.

Mr. Mahesh Srivastava, Adv.

Mr. Vaibhav M. Srivastava, Adv.

Mr. P. N. Puri, Adv.

Mr. Rakesh Mishra, Adv.

Mr. Milind Kumar, Adv.

Mr. Balraj Dewan, Adv.

Mr. P. George Giri, Adv.

Mr. Ginesh P, Adv.

Mr. D.K. Tiwari, Adv.

Mr. M. Vishnu, Adv.

Mr. Babu Malayil, Adv.

Mr. Rameshwar Prasad Goyal, Adv.

Mr. G. N. Reddy, Adv.

Mr. R. P. Vijay, Adv.
Mr. Pankaj kumar Singh, Adv.
Mr. Raj Singh Rama, Adv.

Mr. Jaideep Gupta, Sr. Adv.
Mr. Soumik Ghosal, Adv.
Mr. Parijat Singh, Adv.

Mr. Arjun Garg, Adv.
Mr. Manish Yadav, Adv.

Mr. C. A. Sundaram, Sr. Adv.
Mr. K. Datta, Adv.
Mr. Ashish Verma, Adv.
Ms. Poonam Attrey, Adv.
Mr. Rahul Malhotra, Adv.
Mr. Birendra Kumar Mishra, Adv.

Mr. Atul Chitley, Sr. Adv.
Ms. Arunima Dwivedi, Adv.
Mr. Bhakti Pasrija, Adv.
Mr. S.N.Terdal, Adv.

Mr. O.P. Bhadani, Adv.
Mr. Ashok Anand, Adv.
Mr. Rakesh Kumar Singh, Adv.
Mr. Mohit Kumar Daraad, Adv.

Mr. C. D. Singh, AAG.
Ms. Sakshi Kakkar, Adv.

Mr. Siddhartha Dave, Adv.
Mr. Chirag M. Shroff, Adv.

Ms. Vibha Makhija, Sr. Adv.
Ms. Meenakshi Grover, Adv.
Mr. D. S. Mahra, 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. Ranjan Mukherjee, Adv.

Mr. Rudreshwar Singh, Adv.
Mr. Samir Ali Khan, Adv.

Mr. Sibbo Sankar Mishra, Adv.

Mr. V. G. Pragasam, Adv.

Mr. K.V. Jagdishvaran, Adv.

Ms. G. Indira, Adv.

Mr. Balasubramaniam, Adv.

Ms. Hemantika Wahni, Adv.

Ms. Jesal Wahni, Adv.

Mr. Edward Belho, Adv.

Ms. K. Enatoli Sema, Adv.

Mr. Amit Kumar Singh, Adv.

Mr. K. Luikang Michel, Adv.

Dr. A. M. Singhvi, Sr. Adv.

Mr. Gopal Jain, Sr. Adv.

Mr. R. N. Karanjawala, Adv.

Mr. Debmalaya Banerjee, Adv.

Mr. Jasmeet Singh, Adv.

Mr. A.S. Aman, Adv.

Mr. Manish Sharma, Adv.

Ms. Tanya Pujji, Adv.

Mrs. Manik Karanjawala, Adv.

M/s. Karanjawala & Co.

Mr. Dushyant Dave, Sr. Adv.

Mr. Ajay Choudhary, Adv.

Mr. Gopal Jain, Sr. Adv.

Mr. Ajay Choudhary, Adv.

Mr. Jayant Kumar Mehta, Adv.

Ms. Pragya Baghel, Adv.

Mr. Anil Shrivastav, Adv.

Mr. Rituraj Biswas, Adv.

Mr. A. Raghunath, Adv.

Mr. Devashish Bharuka, Adv.

Mr. Mahabir Singh, Sr. Adv.

Mr. Gautam Awasthi, Adv.

Mr. Ayush Choudhary, Adv.

Ms. Preeti Singh, Adv.

Mr. Abhinav Mani Tripathi, Adv.

Mr. Rahul Mani Tripathi, Adv.

Mr. Manu Beri, Adv.

Ms. V.D. Khanna, Adv.

Mr. Tarun Gupta, Adv.

Ms. Anuradha Mutatkar, Adv.

Mr. Aruna Mathur, Adv.

Mr. Avneesh Arputham, Adv.

Mr. Anuradha Arputham, Adv.

Mr. Yusuf Khan, Adv.

Mr. S.S. Shamsbery, AAG

Mr. Amit Sharma, Adv.

Mr. Ishu Prayas, Adv.

Ms. S. Spandana Reddy, Adv.

Mr. Tushar Mehta, ASG.

Ms. Vibha Datta Makhija, Sr. Adv.

Mr. Wasim Qadri, Adv.

Mr. Tapeshe Kumar Singh, Adv.

Mohd Waquas, Adv.

Mr. Devashish Bharuka, Adv.

Ms. Rita Jha, Adv.

Mr. Vinod Sharma, Adv.

Mr. Niraj Jha, Adv.

Mr. Atul Yeshwant Chitale, Sr. Adv.

Mr. Tanvi Kakar, Adv.

Ms. Bhakti P. Seth, Adv.

Ms. Arunima Dwivedi, Adv.

Mr. S. N. Terdal, Adv.

Mr. G. M. Kawoosa, Adv.

Mr. Sunil Fernandes, Adv.

Mr. K. Datta, Adv.

Mr. Ashish Verma, Adv.

Mr. Rahul Malhotra, Adv.

Mr. Ravi P. Mehrotra, Adv.

Mr. Vibhu Tiwari, Adv.

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

All these cases will now be heard finally on
19th July, 2016. Registry is directed to list the

cases on the top of the list on the said date.

The reports submitted on behalf of the States of Meghalaya, Himachal Pradesh and the Union Territory of Puducherry are taken on record and we have perused the same.

Insofar as the States and Union Territories in respect of which reports have been filed and compliance of the order of this Court is partial, we make it clear that all concerned establishments which are yet to comply with the order of the Court would do so on or before the date fixed i.e. 19th July, 2016.

So far as the States of Uttar Pradesh (partial), Uttarakhand, Odisha, West Bengal, Telangana, Andhra Pradesh, Karnataka, Tamil Nadu, Kerala, Goa and Assam are concerned, we direct that the reports in terms of this Court's Order dated 28th April, 2015 be filed on or before the 5th July, 2016, failing which the Chief Secretaries of the States will appear in-person on 19th July, 2016. Objections, if any, to such reports as may be filed shall be brought on record on or before 12th July, 2016.

We have also taken note of the various

interlocutory applications that have been filed alleging wrongful termination of services and fraudulent surrender of the rights under the Wage Board recommendations to avoid liabilities in terms of the order of the Court. As such complaints received till date are substantial in number, this Court is not in a position to individually examine each case. We, therefore, direct the Labour Commissioner of each of the States to look into all such grievances and on determination of the same file necessary reports before the Court which will also be so filed on or before 12th July, 2016. We grant liberty to each of the individual employees who have filed the interlocutory applications and also such employees who are yet to approach this Court but have a grievance of the kind indicated above to move the Labour Commissioner of the State concerned in terms of the present order.

(Neetu Khajuria)
Sr.P.A.

(Asha Soni)
Court Master