

ITEM NO.2

COURT NO.7

SECTION X

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

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

AVISHEK RAJA & ORS.

PETITIONER(S)

VERSUS

SANJAY GUPTA
(WITH APPLN. (S) FOR IMPLEADMENT AND OFFICE REPORT)

RESPONDENT(S)

WITH
CONMT.PET.(C) NO. 33/2015 IN W.P.(C) NO. 246/2011
(WITH APPLN.(S) FOR PERMISSION TO PLACE ADDL. DOCUMENTS ON RECORD
AND OFFICE REPORT)

CONMT.PET.(C) NO. 572/2014 IN W.P.(C) NO. 246/2011
(WITH APPLN.(S) FOR EXEMPTION FROM FILING O.T. AND IMPLEADMENT AND
PERMISSION TO FILE REJOINDER AFFIDAVIT)

CONMT.PET.(C) NO. 34/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 571/2014 IN W.P.(C) NO. 246/2011
(WITH APPLN.(S) FOR DELETION OF THE NAME OF PETITIONER)

CONMT.PET.(C) NO. 38/2015 IN W.P.(C) NO. 246/2011
(WITH APPLN.(S) FOR PERMISSION TO BRING ADDITIONAL
DOCUMENTS ON RECORD AND OFFICE REPORT)

FACTS AND

CONMT.PET.(C) NO. 46/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 50/2015 IN W.P.(C) NO. 264/2012
(WITH APPLN.(S) FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS AND
OFFICE REPORT)
(FOR FINAL DISPOSAL)

CONMT.PET.(C) NO. 158/2015 IN W.P.(C) NO. 510/2011
(WITH OFFICE REPORT)

Signature Not Verified

CONMT.PET.(C) NO. 174/2015 IN W.P.(C) NO. 510/2011

Digitally signed by
Vinod Lakhina
Date: 2016.01.13

(WITH OFFICE REPORT)

17:27:56 IST

Reason:

CONMT.PET.(C) NO. 101/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 103/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 104/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 105/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 106/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 107/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 108/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 109/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 110/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 111/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 112/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 113/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 120/2015 IN W.P.(C) NO. 246/2011
(WITH APPLN.(S) FOR DIRECTIONS AND PERMISSION TO
DOCUMENTS ON RECORD AND OFFICE REPORT)

PLACE ADDL.

CONMT.PET.(C) NO. 121/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 127/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

3

CONMT.PET.(C) NO. 128/2015 IN W.P.(C) NO. 246/2011
(WITH APPLN.(S) FOR IMPLEADMENT)

CONMT.PET.(C) NO. 129/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 131/2015 IN W.P.(C) NO. 246/2011
(WITH APPLN.(S) FOR IMPLEADMENT)

CONMT.PET.(C) NO. 132/2015 IN W.P.(C) NO. 246/2011
(WITH APPLN.(S) FOR IMPLEADMENT)

CONMT.PET.(C) NO. 133/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 134/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 149/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 150/2015 IN W.P.(C) NO. 246/2011
(WITH APPLN.(S) FOR INTERVENTION AND OFFICE REPORT)

CONMT.PET.(C) NO. 151/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 152/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 153/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 154/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 155/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 102/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 157/2015 IN W.P.(C) NO. 510/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 283/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

4

CONMT.PET.(C) NO. 284/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 285/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 286/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 290/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 287/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 288/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 291/2015 IN W.P.(C) NO. 246/2011
(WITH APPLN.(S) FOR APPEAL AGAINST REGISTRAR'S ORDER AND OFFICE
REPORT)

CONMT.PET.(C) NO. 450/2014 IN W.P.(C) NO. 264/2012
(WITH APPLN.(S) FOR PERMISSION TO SUBMIT ADDITIONAL DOCUMENT(S) AND
OFFICE REPORT)

CONMT.PET.(C) NO. 385/2014 IN W.P.(C) NO. 264/2012
(WITH APPLN.(S) FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS AND
PLACE THE RELEVANT DOCUMENTS AND OFFICE REPORT)
(FOR FINAL DISPOSAL)

CONMT.PET.(C) D 25425/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) D 25424/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) D 25423/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) D 25427/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) D 25426/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) D 25583/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

5

CONMT.PET.(C) D 21713/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) D 25577/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) D 12967/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) D 25581/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) D 23904/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) D 25578/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) D 25579/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) NO. 570/2014 IN W.P.(C) NO. 246/2011
(WITH APPLN.(S) FOR INTERVENTION AND APPLN.(S) FOR DISCHARGE OF
ADVOCATE ON RECORD AND OFFICE REPORT)

CONMT.PET.(C) D 25431/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) D 25432/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) D 26077/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) D 26256/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) D 26078/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

CONMT.PET.(C) D 25430/2015 IN W.P.(C) NO. 246/2011
(WITH OFFICE REPORT)

6

Date : 12/01/2016 These petitions were called on for hearing today.

CORAM :

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

For parties : Mr. Parmanand Pandey, AOR
Mr. Utkarsh Pandey, Adv.
Mr. Raj Kishor Choudhary, Adv.
Mr. Ashwin Vaish, Adv.
Mr. Vinod Pandey, Adv.

Mr. Shekhar Kumar, AOR

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

Mr. Deepak Mishra, Adv.
Mr. Abhishek Garg, Adv.
Mr. Parv K. Garg, Adv.

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

Mr. Yugandhara Jha, Adv.
Mr. Kunal Verma, AOR

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Mr. Satya Mitra, AOR
Ms. Daina, Adv.

Mr. Amit S. Rathore, Adv.
Ms. Deepa Chaudhary, Adv.
Mr. Rajiv Shankar Dvivedi, AOR
Mr. Dharmendra Singh Chaudhary, Adv.
Mr. Ajay S, Adv.

Mr. Neeraj Dubey, Adv.
Mr. Prashant Katara, Adv.
Mr. Kedar Nath Tripathy, AOR

Mr. Abhinav Mukerji, AOR
Mr. Shambo Nandy, Adv.

7

Mr. H. K. Chaturvedi, AOR

Mr. Pijush K. Roy, Adv.
Mrs. Kakali Roy, Adv.
Mr. Rajan K. Chourasia, AOR

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

Mr. Satish Kumar, AOR

Mr. R.P. Vijay, Adv.
Mr. Pankaj Kumar Singh, Adv.
Mr. Raj Singh Rana, AOR

Mr. Mahesh Srivastava, Adv.
Mr. Vaibhav M. Srivastava, Adv.
Mr. P. N. Puri, AOR

Mr. Rakesh Mishra, AOR

Mr. Milind Kumar, AOR

Mr. Dhiraj Kumar Sammi, Adv.
Mr. Balraj Dewan, AOR

Mr. P. George Giri, AOR
Mr. Ginesh P., Adv.
Mr. Devendra Kumar Tiwari, Adv.
Mr. Babu Malayil, Adv.
Mr. Mary Manasa, Adv.

Mr. Akshay Verma, Adv.
Mr. Akashdeep Verma, Adv.
Mr. Narender Kumar Verma, AOR

State of M.P. Mr. Arjun Garg, AOR

Mr. Manish Yadav, Adv.

Mr. Kapil Sibal, Sr. Adv.

Mr. K. Dutta, Adv.

Mr. Birendra Kumar Mishra, AOR

Ms. Poonam, Adv.

8

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

Mr. Tushar Mehta, ASG

Mrs. Vibha Dutta Makhija, Sr. Adv.

Mr. S. Wasim A. Qadri, Adv.

Mrs. Meenakshi Grover, Adv.

Mr. Zaid Ali, Adv.

Mr. D. S. Mahra, AOR

Mr. Sibho Sankar Mishra, AOR

Mr. Niranjana Sahu, Adv.

Puduchery Mr. V. G. Pragasam, AOR
Mr. Prabu Ramasubramanian, Adv.

Mr. Balasubramanian, Adv.

Mr. K.V. Jagdishvaran, Adv.

Ms. G. Indira, AOR

Ms. Hemantika Wahni, AOR

Ms. Jesal Wahni, Adv.

Ms. Puja Singh, Adv.

Ms. K. Enatoli Sema, AOR

Mr. Edward Belho, Adv.

Mr. Amit Kumar Singh, Adv.

Mr. Dushyant Dave, Sr. Adv.

Mr. Gopal Jain, Sr. Adv.

Mr. Ajay Choudhary, AOR

Mr. Ankit Kothari, Adv.

Mr. Jayant Kumar Mehta, AOR

Ms. Madhavi Khare, Adv.

Mr. Salman Khurshid, Sr. Adv.

Mr. N. Mody, Sr. Adv.

Mr. Ankur Mody, Adv.

Mr. Adarsh Tripathi, Adv.

Ms. Pragya Baghel, AOR

Mr. Amol Chitale, Adv.

Mr. Anil Shrivastava, AOR

Mr. A. Raghunath, AOR

9

Mr. Devashish Bharuka, AOR

Mr. Mahabir Singh, Sr. Adv.

Mr. Gautam Awasthi, AOR

Mr. Ayush Chaudhary, Adv.

Ms. Preeti Singh, Adv.

Mr. Rahul Tripathy, Adv.

Mr. Abhinav Mani Tripathy, Adv.

Mr. Manu Beri, Adv.

Mrs. V.D. Khanna, AOR

Mr. N. Gupta, Adv.

Mr. Tarun Gupta, AOR

Mr. Vinod Sharma, Adv.

Mr. Niraj Jha, Adv.

Mr. Arun Singh, Adv.

Ms. Anuradha Mutatkar, AOR

Mr. Ajay Kumar Singh, AOR

Dr. A.M. Singhvi, 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. Tanya Pujji, Adv.

State of Jharkhand Mr. Tapesh Kr. Singh, Adv.

Mr. Mohd. Waquas, Adv.

NCT of Delhi Mr. Siddhartha Dave, Adv.

Mr. Chirag M. Shroff, Adv.

Mr. Rohit Kumar, Adv.

Mr. Bhaskar Das, Adv.

Mr. G.N. Reddy, Adv.

State of Rajasthan Mr. S.S. Shamsbery, AAG, Rajasthan

Mr. Amit Sharma, Adv.

Mr. Ishu Prayas, Adv.

Ms. S. Spandana Reddy, Adv.

Ms. Ruchi Kohli, Adv.

10

Mr. Rudreshwar Singh, Adv.

Mr. Samir Ali Khan, Adv.

State of Punjab Mr. Saurabh Ajay Gupta, AAG, Punjab

Mr. Nishant Bishnoi, Adv.

ON hearing the counsel the Court made the following

O R D E R

Pursuant to the order of this Court appointin
g

Inspectors under Section 17-B of the Working Journalists

and Other Newspaper Employees (Conditions of Service) and

Miscellaneous Provisions Act, 1955, the Inspectors
so

appointed in respect of some of the States/Unio
n

Territories, namely, Bihar, Nagaland, Chhattisgarh, Sikkim,

Chandigarh, Maharashtra, Jharkhand, Arunachal Prad
esh,

Andaman and Nicobar Administration, Govt. of Manipur, Jammu

ab, & Kashmir, Gujarat, Madhya Pradesh, Rajasthan, Punjab,
Delhi, Uttar Pradesh, have filed their respective reports.

The said reports would go to show that while recommendations of the Majithia Wage Board have been implemented in full by some of the establishments such implementation has been in part by other establishments

whereas in the case of majority of the establishments the Majithia Wage Board recommendations remain unimplemented. There are certain other features, which are relevant to the subject matter, that are mentioned in the report of the

Inspectors. A copy of the aforesaid reports be made

11

available to the learned counsel for all the contesting parties by the Registry within a period of two weeks from today. The parties may file their respective response within a period of four weeks thereafter. Such of the States in respect of which report(s) has not been submitted may do so within the aforesaid period of six weeks and a copy of the said reports as and when filed will be made available by the Registry to all the contesting parties without there being any further order in this regard by the Court. Response(s) to the said report(s) may also be filed by the contesting parties before the next date of hearing.

It has been brought to our notice by the learned counsels for some of the contesting parties that in case of some establishments, details of which need not be specifically mentioned herein, employees have been retrenched/terminated and in respect of certain other establishments the employees have been forced/compelled to sign undertakings which were later on used as to make out declarations that the employees do not desire to be covered

by the Wage Board recommendations. While the latter aspect of the matter is mentioned in the several reports of the Inspectors appointed under Section 17-B, the contesting parties will be at liberty to bring forward all materials in this regard and the establishments in question will,

12

naturally, be at liberty to rebut/counter the said allegations.

List all these cases for further consideration after eight weeks.

[VINOD LAKHINA]
COURT MASTER

[ASHA SONI]
COURT MASTER