

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. OF 2023
(arising out of SLP(Crl.) No. 3556 of 2022)

ANUPAM B VYAS

APPELLANT(S)

VERSUS

UNION OF INDIA & ORS.

RESPONDENT(S)

O R D E R

I.A. no. 169264/2023 filed by Saroj Singh Saini and Rajbir Singh, who are employees of the Food Corporation of India¹ seeking impleadment is allowed. They will be arrayed as respondent nos. 4 and 5, respectively, to the present appeal by special leave.

Leave granted.

We have heard learned counsel for the parties including the learned counsel appearing for the newly impleaded respondent nos. 4 and 5. It has been stated by the learned counsel for the parties, and we accept, that the FCI wants to make payment in terms of the award dated 29.02.2016 passed by the Central Government Industrial Tribunal-*cum*-Labour Court no. 1, Karkardooma Courts Complex, Delhi in ID Case no. 192/2011. Issues have, however, arisen with regard to the verification to ensure payment to the genuine employees entitled to payment in terms of the award. The verification exercise has been/is being conducted by the Chief Labour Commissioner (Central).

1 For short, "FCI".

We direct the appellant - Anupam B. Vyas, who was the erstwhile General Manager (R), FCI, Regional Office (Uttarakhand), Dehradun, and is presently, the General Manager (Central), FCI, Zonal Office (East), Kolkata, West Bengal, to ensure deposit of Rs.1 crore with the Chief Labour Commissioner (Central), Dehradun within eight weeks from today.

The deposit, on being made, will be kept in multiple interest bearing Fixed Deposit Receipts (FDRs). The amount deposited will be disbursed to the eligible employees/workmen of the FCI after due verification, by breaking the FDR(s), if required even prematurely. Before disbursement of any amount to the workman, the Chief Labour Commissioner (Central) will issue notice to the Disbursement Officer/Drawing and Disbursement Officer of the FCI, who will be entitled to raise objections, if any. The disbursement will be made after one month from the date the letter for proposed disbursement by the Chief Labour Commissioner (Central) is received/served on the General Manager (R), FCI, Regional Office (Uttarakhand), Dehradun, or in case objection is filed, after the disposal of the objection.

Excess amount, if any, after payment has been made along with interest, will be refunded to the FCI. In case any further payment is required to be made, the appellant/FCI will make it good.

The pending prosecution proceedings before the Chief Judicial Magistrate, Haridwar, Uttarakhand, shall stand closed/disposed of, and can be re-initiated by the Chief Labour Commissioner (Central) in case there is any default by the FCI.

We hope and trust that the execution proceedings viz., the

award will be disposed of expeditiously.

Recording the aforesaid, the appeal is disposed of.

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

.....J.
(SANJIV KHANNA)

.....J.
(S.V.N. BHATTI)

NEW DELHI;
OCTOBER 20, 2023.

ITEM NO.41

COURT NO.3

SECTION II-B

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

Petition for Special Leave to Appeal (Crl.) No. 3556/2022

(Arising out of impugned final judgment and order dated 06-12-2021 in CRMA No. 1537/2021 passed by the High Court of Uttarakhand at Nainital)

ANUPAM B VYAS

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No. 56195/2022 - EXEMPTION FROM FILING O.T., IA No. 169264/2023 - INTERVENTION/IMPLEADMENT and IA No. 56193/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 20-10-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s)

Mr. Jayant K. Sud, Sr. Adv.
Mr. Durga Dutt, AOR
Mr. Vaibhav Shukla, Adv.
Mr. Kartik Jasra, Adv.
Mr. Shivam Nagpal, Adv.
Mr. Prannit Stefano A., Adv.

For Respondent(s)

Mr. Vikramjit Banerjee, A.S.G. (N/P)
Ms. Nachiketa Joshi, Adv.
Mr. Shashank Bajpai, Adv.
Mr. Jitendra Kr. Tripathi, Adv.
Mr. Amrish Kumar, AOR

Mr. Vishwa Pal Singh, AOR
Mr. Vikas Negi, Adv.
Mr. Adesh Kr. Gill, Adv.
Mr. Harpur Singh, Adv.
Mr. Y.P. Singh, Adv.
Ms. Bhavya Tyagi, Adv.
Mr. Prateek Rai, Adv.

Mr. Ankur Yadav, AOR
Mr. Shashank Shekhar, Adv.

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

I.A. no. 169264/2023 filed by Saroj Singh Saini and Rajbir Singh, who are employees of the Food Corporation of India² seeking impleadment is allowed. They will be arrayed as respondent nos. 4 and 5, respectively, to the present appeal by special leave.

Leave granted.

The appeal is disposed of in terms of the signed order.

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

(DEEPAK GUGLANI)
AR-cum-PS

(R.S. NARAYANAN)
ASSISTANT REGISTRAR

(signed order is placed on the file)