

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.3578 OF 2016

KAMANI EMPLOYEES UNION

APPELLANT(S)

VERSUS

THE APPELLATE AUTHORITY FOR INDUSTRIAL AND
FINANCIAL RECONSTRUCTION & ORS.

RESPONDENT(S)

O R D E R

We have heard learned counsel for the appellant and learned senior counsel and learned counsel appearing for the respective respondents.

During the course of submission, it has been brought to our notice that pursuant to the liberty reserved by the High Court, the appellant/Union has approached the adjudicating authority and there is also an award in favour of the workers' Union. The same has however, been assailed by the respondent/Company before the High Court.

In the circumstances, we are of the view that the liberty reserved by the High Court to the appellant herein has been availed of by the appellant herein by seeking certain remedies before the adjudicating authority. In that view of the matter, we find that the question, as to, whether, the Scheme which was approved by the Board for Industrial and Financial Reconstruction (BIFR) and upheld by the Appellate Authority for Industrial and Financial Reconstruction

contd..

(AAIFR) as well as by the High Court would no longer be a question for consideration by this Court.

We dispose of this appeal by reserving liberty to the appellant herein to seek all remedies that are available to the appellant herein in terms of the impugned order of the High Court.

It is needless to observe that if such remedies are availed of by the appellant herein, the same shall be in accordance with law.

All contentions on both sides are left open to be advanced before the appropriate authorities any remedies have been availed of by the appellant/Union or would be so availed.

Liberty is also reserved to both sides to seek expeditious disposal of the matters pending before the High Court.

The Civil Appeal is disposed of in the aforesaid terms.

All pending application(s) including the application for deletion of name of appellant/respondent shall stand disposed of.

.....J.
[B.V. NAGARATHNA]

.....J.
[R. MAHADEVAN]

NEW DELHI
NOVEMBER 06, 2025

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

Civil Appeal No(s). 3578/2016

KAMANI EMPLOYEES UNION

Appellant(s)

VERSUS

THE APPELLATE AUTHORITY FOR INDUSTRIAL AND
FINANCIAL RECONSTRUCTION & ORS.

Respondent(s)

IA No. 38511/2021 - DELETING THE NAME OF PETITIONER/RESPONDENT

Date : 06-11-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE R. MAHADEVAN

For Appellant(s) : Mr. Jawar Raja, Adv.
Mr. Pukhrambham Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.
Ms. Aditi Saraswat, Adv.
Mr. Nitai Hinduja, Adv.
Ms. Rajkumari Divyasana, Adv.

For Respondent(s) : Mr. J.P. Cama, Sr. Adv.
Mr. Rauf Rahim, Sr. Adv.
Mr. S.S Syed, Adv.
Mr. Sahil Syed, Adv.
Mr. Ali Asghar Rahim, Adv.
Mr. Mohsin Rahim, Adv.
Ms. Tania Tamanna, Adv.
Mr. Shekhar Kumar, AOR

M/S. Lawyer S Knit & Co, AOR
Ms. Bina Madhavan, Adv.
Mr. S. Udaya Kumar Sagar, Adv.
Ms. Shruti Sharma, Adv.

Mr. Pranab Kumar Mullick, AOR

Mr. Anand Dilip Landge, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Shrirang B. Varma, Adv.

Mr. Shashank Manish, AOR
Ms. Nidhi Sahay, Adv.
Mr. Ritansh Kumar Nand, Adv.

Contd..

Mr. Himanshu Raj, Adv.

Mr. Ritesh Kumar Chowdhary, AOR

Mr. R. P. Bhatt, Sr. Adv.

Ms. Meera Mathur, AOR

Mr. S. Sukumaran, Adv.

Mr. Anand Sukumar, Adv.

Mr. Bhupesh Kumar Pathak, Adv.

Mrs. Ruche Anand, Adv.

Mr. Brajesh Kumar, AOR

Mr. Jamshed P Cama, Sr. Adv.

Mr. Rauf Rahim, Sr. Adv.

Mr. S.S Sayyid, Adv.

Mr. Fuzail Ahmad Ayyubi, AOR

Mr. Ibad Mushtaq, Adv.

Mr. Rauf Rahim, Adv.

Ms. Akanksha Rai, Adv.

Ms. Gurmeet Kaur, Adv.

Mr. Syed Arshad, Adv.

UPON hearing the counsel the Court made the following

O R D E R

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

All pending application(s) including the application for deletion of name of appellant/respondent shall stand disposed of.

(NEETU SACHDEVA)
ASTT. REGISTRAR-cum-PS

(signed order is placed on the file)

(MANOJ KUMAR)
COURT MASTER (NSH)