

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1734 OF 2004

PANKI THERMAL POWER STATION & ANR.

.....APPELLANT

(S)

VERSUS

VIDYUT MAZDOOR SANGATHAN  
PONDENT

.....RES

(S)

O R D E R

Heard learned counsel for the parties.

We find that two Writ Petitions were filed; one by the present appellant and the other by the present respondent. Writ Petitions filed by the appellant was numbered as Civil Misc.Writ Petition No.47303/1999 and the respondent's Writ Petition was numbered as Civil Misc.Writ Petition No.13679/2000. The Writ Petition filed by the present appellant challenged the order of the Labour Commissioner while in the respondent's Writ Petition challenge was to the legality of the award made by the Industrial Tribunal dated 30.7.1999. The basic issue involved in both the Writ Petitions is the status of the workmen concerned, i.e.,

whether they were contract labourers or whether they were employees of the

appellant-Corporation. The Writ Petition filed by the appellant has been dismissed

while the Writ Petition filed by the respondent is still pending adjudication. The

issues are interlinked and, therefore, it would have been appropriate for the High

Court to take up both the Writ Petitions together for disposal. In this background,

we set aside the order of the High Court and remit the Writ Petition to the High

Court for consideration along with the other Writ Petition noted above.

We make it clear that we have not expressed any opinion on the merit of

the respective stand. Since the Writ Petitions are of the year 1999/2000, we request

the High Court to dispose of the Writ Petitions as early as practicable preferably

within six months from the communication of this Order. The appeal is accordingly

disposed of. No order as to costs.

.....J.

...

RIJIT PASAYAT )

( A

.....J.

....

K. THAKKER )

( C.

NEW DELHI;

SEPTEMBER 15, 2005.

ITEM NO.104

COURT NO.7

SECTION XV

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
CIVIL APPEAL NO(s). 1734 OF 2004

PANKI THERMAL POWER STATION &amp; ANR.

Appellant (s)

VERSUS

VIDYUT MAZDOOR SANGATHAN

Respondent(s)

Date: 15/09/2005 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARIJIT PASAYAT  
HON'BLE MR. JUSTICE C.K. THAKKER

For Appellant(s)

Ms.Shobha Dikshit, Sr.Adv.  
Mr. Pradeep Misra, Adv.  
Mr.Rohit Rishi, Adv.

For Respondent(s)

Mr.Vijay Hansaria, Sr.Adv.  
Mr. C.D. Singh, Adv.  
Mr.Sanjay Kumar Singh, Adv.  
Mr.Gunratan Pandey, Adv.

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Ms.Kiran Suvarna, Adv.  
Dr.Indra Pratap Singh, Adv.

For RR-2,4,5,6,7,  
9,12 & 15

Mr.Sanjiv Das, Adv.  
Ms.Manjula Gupta, Adv.  
Mr.M.D.Pandeya, Adv.

For RR 3,10,11&amp;14

Mr.Shashindra Tripathi, Adv.  
Mr.Anil Kumar Jha, Adv.

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

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

No order as to costs.

( Satish K. Yadav )

Court Master

( Vijay Aggarwal )

Court Master

( Signed order is placed on the file )