

IN THE SUPREME COURT OF INDIA
INHERENT JURISDICTION
CONTEMPT PETITION (CIVIL) NO.366 OF 2021
IN
SPECIAL LEAVE PETITION (CIVIL) NO.3656 OF 2021

THEIR WORKMEN THROUGH THE JOINT
SECRETARY (WELFARE)
FOOD CORPORATION OF INDIA EXECUTIVE STAFF UNION PETITIONER(S)

VERSUS

SRI SANJIV KUMAR BHADANI & ORS. ALLEGED CONTEMNOR(S)/RESPONDENT(S)

O R D E R

Mr. Gourab Banerji, learned senior counsel appearing on behalf of the alleged contemnor(s)/respondent(s) has produced the Comparative Chart of salaries of the workmen (the petitioners before us). He would submit that the workmen are currently being paid the sums which are mentioned in the 7th Column of the Comparative Chart. He would further submit that in view of the order of stay granted by this Court on 8th March, 2021 the alleged contemnor(s)/respondent(s) will pay the workmen petitioners at the rate mentioned in the 3rd Column in the Comparative Chart which is the gross pay drawn as on December, 2020 (the date of the impugned judgment of the High Court). This payment will be effected from the date of the order of the stay (8th of March, 2021). The entire

arrears on this basis shall be paid to the petitioners workmen.

From the Comparative Chart, it would appear that some of the workmen out of the 21 workmen shown in the comparative chart have either superannuated, not reported for duty and one of the workman is shown as namely, *Late Nirmalendu Kumar* (at serial No.17 in the comparative chart) as having passed away on 27.07.2011. In regard to the person who has superannuated in December, 2021, the arrears is be paid till the date of superannuation. The arrears need not be paid for those workers who have not reported for duty for the period they have not reported for duty. But this will not stand in the way of their reporting for duty in which case they will have to be paid in terms of the calculation which has been referred to.

No doubt, we record the stand of Mr. Vikas Singh, learned senior counsel appearing on behalf of the petitioners that he has denied the allegations about certain workers not reporting.

We record the further submission of the Mr. Gourab Banerji, learned senior counsel for the alleged contemnor(s)/respondent(s) that the workmen will be paid at the rate as mentioned in the Column-3 as long as the order continues or till superannuation takes place.

The contempt petition stands disposed of on the basis of the stand which has been taken by the learned senior counsel for the alleged contemnor(s)/respondent(s).

List the special leave petition in the third week of November, 2022 on a Non-miscellaneous day.

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

.....J.
[K.M. JOSEPH]

.....J.
[HRISHIKESH ROY]

New Delhi
26TH JULY, 2022

ITEM NO.8

COURT NO.8

SECTION XVII

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

CONMT.PET.(C) No. 366/2021 in SLP(C) No. 3656/2021

THEIR WORKMEN THROUGH THE JOINT SECRETARY (WELFARE) FOOD
CORPORATION OF INDIA EXECUTIVE STAFF UNION PETITIONER(S)

VERSUS

SRI SANJIV KUMAR BHADANI & ORS. ALLEGED CONTEMNOR(S)/RESPONDENT(S)
(FOR ADMISSION)

Date : 26-07-2022 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE K.M. JOSEPH
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. Vikas Singh, Sr. adv.
Mr. Varun Singh, Adv.
Ms. Deepika Kalia, Adv.
Mr. Kapish Seth, Adv.
Mr. Priyanka Khosla, Adv.
Ms. Alankriti, Adv.
Mr. Mrityunjai Singh, Adv.
Mr. Udit Singh, AOR

For Respondent(s) Mr. Gourab Banerji, Sr. Adv.
Mr. Ajit Pudussery, AOR
Mr. Vijayan K., Adv.

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

The contempt petition stands disposed of in terms of the
signed order.

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

List the special leave petition in the third week of November,
2022 on a Non-miscellaneous day.

(JAGDISH KUMAR)
COURT MASTER (SH)

(RENU KAPOOR)
ASSISTANT REGISTRAR

(Signed order is placed on the file)