

ITEM NO.24 Court 11 (Video Conferencing)

SECTION XII

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(s) for Special Leave to Appeal (C) No(s). 13080/2021

(Arising out of impugned final judgment and order dated 05-10-2020 in WA No. 914/2020 passed by the High Court Of Judicature At Madras)

THE MANAGEMENT CHEYYAR CO-OP. SUGAR MILLS LTD. Petitioner(s)

VERSUS

THE DHINA KOOLI THOZHILALAR SANGAM Respondent(s)

(FOR ADMISSION and I.R. and IA No.105621/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 31-08-2021 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA  
HON'BLE MR. JUSTICE A.S. BOPANNA

For Petitioner(s) Mr. M. Yogesh Kanna, AOR  
Mr. R. Bala Ramesh, Adv.  
Mr. RajaRajeshwaran S., Adv.

For Respondent(s)

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

The challenge in the present Special Leave Petition is to an order passed by the High Court of Judicature at Madras on 05.10.2020, wherein the order of the learned Single Judge against an Award of the Labour Court was dismissed.

The respondent-union has claimed two reliefs - i) payment of occupational wages and ii) absorption of the workmen with the petitioner.

A reading of the order passed by the High Court shows that there is no finality in respect of the payment of occupational wages which is evident from Paragraph 3 of the impugned Judgment.

A reading of the said paragraph only shows the *prima facie* opinion of the Court that there is hardly any error in the findings recorded by the Labour Court, but the final view is yet to be arrived at.

Still further, regarding absorption of the workmen, the matter is still pending, in which the Division Bench of the High Court has issued notice to the State.

In view of above, we leave it open to the petitioner to raise all questions regarding payment of occupational wages and absorption of workmen before the High Court. Since the two issues are involved in an intra-court appeal, the High Court may take up both the matters together and pass a common judgment on both the issues.

With the above directions, the Special Leave Petition is disposed of.

Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)  
COURT MASTER

(RENU BALA GAMBHIR)  
COURT MASTER