

ITEM NO.27

COURT NO.5

SECTION XI-A

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 30906/2017

(Arising out of impugned final judgment and order dated 28-11-2016 in OJC No. 729/1999 passed by the High Court Of Orissa At Cuttack)

ROURKELA SHARMIK SANGH

Petitioner(s)

VERSUS

STEEL AUTHORITY OF INDIA LIMITED ROURKELA  
STEEL PLANT & ANR.

Respondent(s)

(IA No.109203/2017-CONDONATION OF DELAY IN FILING SLP and IA No.109201/2017-PERMISSION TO FILE SLP/TP)

Date : 06-11-2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH  
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Mr. R. Balasubramaniam, Adv.  
Mr. Pranav Kumar, Adv.  
Mr. Santosh Kumar Viswakarma, Adv.  
Ms. Aarti Sharma, Adv.  
Mr. Santosh Kumar Pandey, AOR

For Respondent(s)

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

The learned counsel for the petitioner has drawn our attention to the list of dates at pages 'W' and 'X' of the paperbook, in which it is stated that :-

*"28.08.1998 The State Contact Labour Advisory Board in its 18<sup>th</sup> meeting held on 18.1.1997 constituted a Committee consisting of Sri Rama Chandra Khuntia as Chairman and Sri Pravat Kumar Mohapatra, M.L.A. as Member to study the matter and submit report after detail discussion with both the representatives of the respondent no. 1*

& the petitioner. Pursuant to the notice dated 17.6.1996, the petitioner offered its views. Accordingly, on 27.04.1998 the Committee visited the Rourkela Steel Plant, gave opportunity of hearing to the respondent no. 1 and the petitioner and after spot verification of 4 jobs submitted its report to the State Contract Labour Advisory Board on 28.08.1998. The State Contract Labour Advisory Board after due consideration accepted the Committee report and recommended to the respondent no. 2 to issue correct notification.

17.12.1998 Thereafter, the respondent no. 2 issued Notification dated 17.12.1998 vide S.R.O. No. 826/1998 in supersession of the Notification of Labour & Employment Deptt. No. 4768 dated 30.03.1989 & No. 5497 LE dated 09.05.1995. In the said Notification, the respondent no. 2 corrected the previous mistake in name of jobs in respect of job Sl. No. 79, 80, 81 & 103 which is the jobs where these 104 contract labours were working."

The learned counsel for the petitioner seeks leave to withdraw the application for permission to file Special Leave Petition along with the Special Leave Petition so as to file review petition before the High Court in view of the developments referred to above.

Therefore, the application for permission to file Special Leave Petition and the Special Leave Petition are permitted to be withdrawn with liberty to the petitioner to approach the High Court by way of a review petition.

It is made clear that in case the Review Petition is filed before the High Court within 30 days from today, the same may not be dismissed on the ground of delay.

We further make it clear that we have not considered the matter on merits.

(JAYANT KUMAR ARORA)  
COURT MASTER

(RENU DIWAN)  
ASSISTANT REGISTRAR