

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) Nos. 1933-1934/2017

(Arising out of impugned final judgment and order dated 10/06/2016 in WA No. 821/2015 and 10/06/2016 in RWAMP No. 2842/2015 in WA No. 821/2015 passed by the High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh)

BHARAT HEAVY ELECTRICAL LIMITED

Petitioner(s)

VERSUS

THE COMMISSIONER OF LABOUR,
ANDHRA PRADESH, HYDERABAD AND ORS.

Respondent(s)

(With appln. (s) for raising additional grounds, interim relief and office report)

Date : 23/01/2017 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE R.K. AGRAWAL

For Petitioner(s) Mr. Mukul Rohatgi, AG.
M/s. Khaitan & Co.

For Respondent(s)

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

Learned Attorney General states that in the instant case, there is one additional issue, viz., whether it is the petitioner who is liable to pay the cess or the sub-contractor.

Since this was not the issue raised by the petitioner in the High Court and was also not the subject matter of the judgment of this Court in '*Lanco Anpara Power Ltd. v. State of Uttar Pradesh and Ors.*' (Civil Appeal No. 6223 of 2016) [2016 (10) SCC 329], the petitioner may raise the issue at the appropriate forum, in accordance with law.

The special leave petitions are dismissed with the aforesaid observations.

(Nidhi Ahuja)
Court Master

(Mala Kumari Sharma)
Court Master