

(1999) 12 SC CK 0046

In the Supreme Court Of India

Case No : Special Leave Petitions (Civil) No. 16732 of 1997 with T.P. (C) No. 459/97 and 490/97 and W.P. (C) No. 84/99

N.T.C. (IDA Pattern) Employees Assn.

APPELLANT

Vs

Union of India and Others

RESPONDENT

Date of Decision : 02-12-1999

Acts Referred:

Citation : (2000) AIRSCW 2012 : (1998) 4 ALLMR 360 : (1999) 3 SCALE 586 : (1999) 7 SCALE 496 : (1999) 2 SCALE 311 : (2006) 3 SCC 603

Hon'ble Judges : U.C. Banerjee, J;S. B. Majmudar, J

Bench : Division Bench

Final Decision : Disposed Of

Judgement

S.L.P. (C) No. 16732 of 1997 and I.A. Nos. 1 to 9 in SLP (C) No. 16732 of 1997

1. We heard learned counsel for the parties. In our view till these matters are finally decided interest of justice requires that the officers/employees of N.T.C. and its subsidiaries whose cases have been cleared by the Board for Industrial and Financial Reconstruction by order dated 21st/28th April 1998 and which would cover 518 employees of I.D. Act. pattern working in N.T.C. and its subsidiaries should be given without prejudice to the rights and contentions of all the contesting parties in these proceedings and purely on adhoc basis benefits under O.M. dated 19th July 1995 at least from 1st January 1999.

2. All arrears on the basic of that O.M. will be worked out and paid over to the aforesaid employees only, w.e.f. 1st January 1999 and in future during the pendency of these proceedings the monthly payments will also be continued to be made on the enhanced rate till the final disposal of these proceedings.

3. The aforesaid arrears shall be computed and paid w.e.f. 1st January 1999 within eight weeks from today.

4. It is made clear that the aforesaid is order passed subject to the ultimate

decision in these proceedings and subject to the adjustment, if any as directed by this Court ultimately and all such employees shall have no objection to such adjustment to be made from their future salaries or other retiral benefits, if any.

5. For compliance of the aforesaid order, the Central Government will make available necessary funds to the N.T.C. if required.

6. The SLP along with the other matters will stand over to 17th August 1999. In the meantime counter affidavit and the rejoinder affidavit. If any are to be filed by the concerned parties are permitted to be filed.