

SUPREME COURT OF INDIA

Union of India (Uoi)

Vs.

Charles David

(S Ahmed and D Wadhwa JJ.)

22.03.1999

ORDER

1. Leave granted.

2. The controversy raised in this appeal is concluded by a Three Judge Bench decision of this Court in Union of India v. K.G. Radhakrishna Panicker in which it has been held that the benefit would be available only to those casual labourers who had been working on open line and not to Casual Labourers working on a Project.

3. Learned Counsel for the respondents contends that they are all open line casual labourers and the Tribunal has wrongly described them as project casual labourers. It is also stated that an application for correction was not made before the Tribunal as the Tribunal had granted relief to both categories of casual labourers. If that be so, they may approach the Tribunal for correcting the factual error in the judgment. So far this Court is concerned, the relief on that point cannot be given to the respondents. In view of the above, the Appeal is disposed of in the above terms.