

SUPREME COURT OF INDIA

Md. Manjur

Vs.

Shyam Kunj Occupants' Society

C.A.No.7502 of 2002

(D. M. Dharmadhikari and Shivaraj V. Patil JJ.)

04.02.2004

ORDER

1. Having heard learned counsel for the parties on either side, we cant find fault with the impugned judgment inasmuch as, in the impugned judgment, judgment of this Court in Som Vihar Apartment Owners' Housing Maintenance Society Ltd. v. Workmen do. Indian Engg. & Gent. Mazdoor [00] is relied on and followed. Learned counsel for the appellants tried to make some distinction to contend that the decision of this Court afore-mentioned is not applicable to the facts of the present case, We find it difficult to agree. This being the position, we do not find any merit in the appeal. Consequently, it is dismissed. No costs.

2. At this stage, the learned counsel for the appellants submitted that the appellants have made an application, i.e., I.A. No. 3, for direction to give minimum wages and for other reliefs. Since this is outside the purview of this appeal, it will not be possible for us to give any direction In this application. Hence, I.A. No. 3 is dismissed. However, we make it clear that the dismissal of this I.A. does not preclude the appellants from making a proper application, if entitled to, in regard to the reliefs sought for in this application before an appropriate authority in accordance with law.