

SUPREME COURT OF INDIA

Neyveli Lignite Corporation Ltd.

Vs.

NLC Indcoserve T.U.Sangam

C.A.No.1629 of 2011

(H.L.Gokhale and Ranjan Gogoi JJ.)

16.04.2013

ORDER

1. Heard Mr. Chandhiok, learned Additional Solicitor General appearing for the appellant and Mr. Singaravelan, counsel appearing for respondent No.1, Mr. Beno Bencigar, counsel appearing for respondent No.9 and Mr. Radhakrishnan, counsel for respondent No.14.

2. Respondent No.1 had approached the High Court seeking a writ of mandamus directing the first respondent to absorb and regularize the members of respondent No.1 Union as employees of the appellant Corporation following the seniority list prepared on the basis of the date of entry in the appellant Corporation either as a contract labour or otherwise. They sought that accordingly they be regularised in the regular employment as and when vacancies arise because of demise, V.R.S. or superannuation of the regular employees. That prayer was accepted by the High Court. Being aggrieved thereby, this appeal, by special leave, has been filed.

3. During the pendency of this appeal, an order was passed by this Court on 16.8.2010 upon the statement made by the learned Additional Solicitor General that a common seniority list of the contract workers was being re-drawn by taking into consideration not only the date of their membership with NLC Indcoserve but also the date of their entry into appellant Corporation's service through any private contractor.

4. We are informed by Mr. Chandhiok, learned Additional Solicitor General that the said list has been prepared considering all the workmen and Mr. Singaravelan, counsel appearing for respondent No.1 has no grievance with the said list. If the

workmen have any grievance with the said seniority list, they can submit their grievance/objection to the management of the appellant Corporation who shall consider the same. The seniority list of the workmen having been prepared and is assured to be acted upon as per seniority, we do not see any reason to keep this appeal alive. This appeal is, therefore, disposed of accordingly.