

ITEM NO.25

COURT NO.11

SECTION XV

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 for Special Leave to Appeal (C)..... of 2016
(CC No. 8035/2016)

(Arising out of impugned final judgment and order dated 16/10/2015
in LPA No. 728/2014 passed by the High Court of Delhi at New Delhi)

BUILDERS ASSOCIATION OF INDIA

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

(with appln. (s) for c/delay in filing SLP)

Date : 02/05/2016 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Petitioner(s) Mr. P.P. Rao, Sr.Adv.
Mr. Kevin Gulati, Sr. Adv.
Mr. Jivesh Nagrath, Adv.
Mr. Ashok Mathur, Adv.

For Respondent(s)

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

Delay condoned.

Apprehension of the petitioner appears to be that without identifying the beneficiary workmen, the contribution is being sought. Without identification, the petitioner will not be liable to make the contribution, it is submitted. That process of identification will arise only at the stage of enquiry that is to be conducted by the respondent- Organization. Therefore, it is made clear that during the process of enquiry conducted by the respondent-Organization, the steps will also be taken to identify the workmen either of the petitioner or engaged through contractors.

Needless to say that the Organization will ensure that the contribution taken from the petitioner will actually go to the benefit of the employees concerned.

Subject to the above observations, special leave petition is dismissed.

Pending application(s) shall stand disposed of.

(Rajni Mukhi)
SR. P.A.

(Renu Diwan)
COURT MASTER