

(2017) 01 SC CK 0063

SUPREME COURT OF INDIA

Case No: Civil Appeal No. 897 of 2002

State of Uttar Pradesh

APPELLANT

Vs

Jai Bir Singh

RESPONDENT

Date of Decision: Jan. 2, 2017

Acts Referred:

- Industrial Disputes Act, 1947 - Section 2(j)

Citation: (2017) 153 FLR 2 : (2017) 2 JT 32 : (2017) 1 Scale 292 : (2017) 3 SCC 311 : (2017) 1 SCCL 618 : (2017) 1 SCR 83

Hon'ble Judges: T.S. Thakur, CJ; Madan B. Lokur, J; S.A. Bobde, J; Adarsh Kumar Goel, J; Uday Umesh Lalit, J; Dr. D.Y. Chandrachud, J; L. Nageswara Rao, J

Bench: Full Bench

Advocate: Nishant R. Katneshwarkar, Arpit Rai, M. Yogesh Kanna, Ms. Nithya, Ms. Hemantika Wahi, Ms. Puja Singh, Samar Vijay Singh, Dr. Monika Gosain, Senthil Jagadeesan, Govind Manoharan, Ms. Shruti Iyer, Santosh Krishnan, M.R. Shamshad, Kamal Mohan Gupta, C.D. Singh, Bharat Sangal, V.N. Raghupathy, Ms. Asha Gopalan Nair, K.L. Janjani, Jagjit Singh Chhabra, Ms. Anitha Shenoy, Ardhendumauli Kumar Prasad, B. Krishna Prasad, D.S. Mahra, Pradeep Misra, Ms. Madhu Sikri, R. Chandrachud, Krishan Kumar, Advocates, for the Petitioner; Ms. Pinky Anand, ASG, Karan Seth, Rajesh Ranjan, D. Goburdhan, M.K. Maroria, Dr. K.S. Chauhan, Aseem Katoch, Ajit Kumar Ekka, Ravi Prakash, Chand Kiran, Ms. Charu Lata Chaudhary, Murari Lal, S. Ravishankar, Mrs. Yamunah Nachiar, M.K. Garg, Krishan Kumar, Sayid Marzook Bafaki, Pukhrambam Ramesh Kumar, Vidya Dhar Gaur, Ms. Nidhi, Yash Pal Dhingra, E.C. Vidya Sagar, Ms. Kusum Chaudhary, Ms. Jyoti Mendiratta, Subhash Sharma, A.P. Mohanty, S.N. Bhat, R.C. Kaushik, Naresh Kumar, Dr. (Mrs.) Vipin Gupta, Vishwajit Singh, S.K. Verma, Ashok Kumar Sharma, Rameshwar Prasad Goyal, Gautam Narayan, K. Rajeev, Advocates, for the Respondent

Final Decision: Disposed Of

Judgement

@JUDGMENTTAG-ORDER

T.S. Thakur, CJI. - We have heard learned counsel for the parties at considerable length. We have also been taken through relevant passages of the decision of this Court in **Bangalore Water Supply & Sewerage Board etc. v. A. Rajappa and Ors. etc. (1978) 2 SCC 213** and the reference order passed by a Five-Judges Bench of this Court pursuant to which these matters have been placed before us. Having given our anxious consideration to the contentions urged at the bar and the serious and wide ranging implications of the issue that fall for determination as also the fact that serious doubts have been expressed in the reference order about the correctness of the view taken in Bangalore Water Supply's case (*supra*), we are of the opinion that these appeals need to be placed before a Bench comprising Nine-Judges to be constituted by the Chief Justice.

2. We order accordingly. The papers be now placed before the Chief Justice for constituting an appropriate Nine-Judges Bench to answer the questions raised in the reference order dated 5th May, 2005 passed by the Five-Judges Bench in **State of U.P. v. Jai Bir Singh, (2005) 5 SCC 1**.