

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Miscellaneous Application No. 1661-1662/2026

in

C.A. No. 6036-6037/2009

NATIONAL TEXTILE CORPORATION LTD.

Applicant/ Petitioner(s)

VERSUS

NATIONAL TEXTILE CORP.
SHOWROOM EMP. ASSOCIATION

Respondent(s)

O R D E R

1. Permission to appear and argue in person is allowed.
2. Heard learned counsel for the parties.
3. On 20.07.2001, in Industrial Dispute No. 31/1995, Industrial Tribunal at Bangalore passed an award directing as follows:

“The party employees are entitled for the pay scales as per the 4th Pay Commission Scales or N.T.C. scales on par with the employees of the Divisional Office of the II Party. The II party is not justified In transferring the employees on whims and fancies, but they have to transfer the employees in accordance with the transfer policy.

With respect to the Points of Dispute No. I (3) the same is rejected.

With respect to the points of Dispute No. I (4) it is held that as the I party employees are entitled for wages on par with the employees of Divisional Office, the filling up of the posts in the divisional office is also to be considered from the employees of the show room.

With respect to the points of Dispute No. I (6) to (11), the terms and conditions applicable to the employees of the Divisional Office also applies to the I party employees.

In the circumstances, I answer the points of dispute accordingly. In the circumstances, I pass no order as to costs."

4. The said award was challenged before the High Court of Karnataka¹ through a writ petition which was dismissed on 12.07.2006 against which a writ appeal was filed before the Division Bench of the High Court. The writ appeal too was dismissed *vide* order dated 21.03.2007.

5. Aggrieved by dismissal of their writ petition and the writ appeal against the award passed by the Industrial Tribunal², Civil Appeal Nos. 6036-6037/2009 were filed before this Court. This Court, *vide* its order dated 24.09.2014, disposed of the appeals upon finding that there was no justification to interfere with the impugned orders. The order dated 24.09.2014 was subjected to a review which was dismissed on 07.04.2015.

1 "The High Court"

2 "The Tribunal"

6. As the award passed by the Tribunal became operative, an application was submitted for implementation of the award.
7. The Regional Labour Commissioner basis a meeting held on 12.02.2020 ordered that complainants may approach this Court.
8. In the meantime, we have been informed, a proceeding was initiated for prosecution of the officers of the National Textile Corporation Limited ("NTCL") for non-implementation of the award. In those proceedings, an order was passed on 31.05.2022 by the Deputy Chief Labour Commissioner (Central).
9. Aggrieved by the said order, NTCL filed Writ Petition No. 11747/2022 before the High Court. The argument placed before the High Court was that, according to NTCL, the award has been complied; there has been no determination of the exact amount payable and, therefore, the workers / employees must file an application under Section 33C(2) of the Industrial Disputes Act, 1947 ("ID Act") for computation; only thereafter, action under Section 29 of the ID Act could be possible.
10. The High Court noticed that the NTCL had setup a case that they had tendered the amount payable according to them, which was not acceptable to the workers and, therefore, they found that the order dated 31.05.2022 was liable to be set aside. Accordingly, the writ petition was allowed in part; the order dated 31.05.2022 was set aside; and the matter was remitted back to the Deputy Chief Labour Commissioner

(Central) for fresh consideration, by considering the documents produced by the petitioner and by adhering to the principles of natural justice.

11. Through these application(s), the applicant has sought a direction for implementation of the award and for payment of Rs. 3,52,34,146.78/- to the applicants as per Annexure A-27.

12. The Respondent-Corporation disputes the amount payable. The case of the Respondent-Corporation is that unless the amount payable in terms of the award is determined under Section 33C of the ID Act, a specific direction to make payment of a specific amount is not warranted.

13. On the contrary, the applicant submits that the award itself directed that the employees would be entitled to pay scales as per the 4th Pay Commission or NTC scales on par with the employees of the divisional office of the second party and, therefore, the award is a self-executing award and payment in terms thereof ought to be made.

14. We do not accept the aforesaid submission.

15. The award only determines the right. As to what exact amount is payable thereunder would have to be determined through a computation which can be undertaken in exercise of powers under Section 33C of the ID Act. As the Respondent-Corporation disputes the amount claimed by the applicant, the

appropriate course for the applicant is to invoke the jurisdiction of the appropriate Forum under Section 33C of the ID Act.

16. We, therefore, dispose of these Miscellaneous Application(s) by giving liberty to the applicant and all similarly situated employees who are aggrieved by non-implementation of the award to move application for computation of the amount payable to them in terms of the award dated 20.07.2001 which has attained finality.

17. The IA No. 63140/2022 and Miscellaneous Application(s) shall stand disposed of.

18. Pending application(s) including impleadment application, if any, shall stand disposed of.

..... J
[MANOJ MISRA]

..... J
[MANMOHAN]

New Delhi;
May 20, 2026

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Miscellaneous Application No. 1661-1662/2026 in C.A. No. 6036-6037/2009

[Arising out of impugned final judgment and order dated 24-09-2014 in C.A. No. No. 6036/2009 24-09-2014 in C.A. No. No. 6037/2009 passed by the Supreme Court of India]

NATIONAL TEXTILE CORPORATION LTD. Petitioner(s)

VERSUS

NATIONAL TEXTILE CORP. SHOWROOM EMP. ASSOCIATION Respondent(s)

IA No. 204651/2022 - APPLICATION FOR PERMISSION
IA No. 63140/2022 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 204655/2022 - INTERVENTION/IMPLEADMENT
IA No. 170798/2025 - PERMISSION TO APPEAR AND ARGUE IN PERSON

Date : 20-05-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE MANMOHAN

For Petitioner(s) :

Mr. S.d Sanjay, A.S.G.
Mr. Akshay Amritanshu, Adv.
Mr. Anuj Srinivas Udupa, Adv.
Mr. Udai Khanna, Adv.
Mr. Prashant Singh-(ii), Adv.
Mr. Anand Singh, Adv.
Dr. N. Visakamurthy, AOR
Ms Sonal K. Singh, Adv.
Mr Ratik Sharma, Adv.
Mr Yashvardhan Singh, Adv.
Mr Kaushal, Adv.

For Respondent(s) : Respondent-in-person

Ms. K. V. Bharathi Upadhyaya, AOR
Mr. Sufyan Hasan, Adv.
Ms. Hema Malik, Adv.
Ms. Pritama, Adv.
Mr. Gousali K R, Adv.

Mr Satya Darshi Sanjay, ASG
Mr Prashant Singh, Adv.
Mr Duai Khanna, Adv.
Mr Anuj Srinivasudaupa, Adv.
Mr Akshy Amrit Anshua, Adv.
Mr N. Visakamurthy, AOR

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

1. Permission to appear and argue in person is allowed.
2. The IA No. 63140/2022 and Miscellaneous Application(s) shall stand disposed of in terms of the signed order placed on the file.
3. Pending application(s) including impleadment application, if any, shall stand disposed of.

(CHETAN ARORA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)