

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 38316/2026

[Arising out of impugned final judgment and order dated 02-04-2026 in LPA No. 1177/2025 passed by the High Court of Gujarat at Ahmedabad]

M/S SUN PHARMACEUTICAL INDUSTRIES LTD.

Petitioner(s)

VERSUS

DEPUTY LABOUR COMMISSIONER & ANR.

Respondent(s)

(IA No. 230912/2026 - CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS

IA No. 230910/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 230911/2026 - EXEMPTION FROM FILING O.T.)

Date : 31-08-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE UJJAL BHUYAN
HON'BLE MR. JUSTICE ATUL S. CHANDURKAR

For Petitioner(s): Ms. Meenakshi Arora, Sr. Adv.
Mr. Shyam Kumar, Adv.
Ms. Akansha Sinha, Adv.
Ms. Iqra Khan, Adv.
Ms. Kumari Ruchi, Adv.
Mr. Nikhil Jain, AOR

For Respondent(s):

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

1. We have heard Ms. Meenakshi Arora, learned Senior counsel for the petitioner.
2. Delay condoned.
3. She submits that the appropriate Government did not form any opinion on the jurisdictional issue as to whether the respondent is a workman. According to the petitioner, the respondent had served with the

petitioner in a managerial capacity having supervisory character. Therefore, the reference should be quashed. In support of her submission, she has placed reliance on a decision of this Court in *Secretary, Indian Tea Association versus Ajit Kumar Barat and Others*, [(2000) 3 Supreme Court Cases 93].

4. However, we are unable to agree with the submission of learned Senior counsel, particularly in view of what has been observed by the High Court in paragraph No.61 of the impugned judgment. That apart, adequacy of the satisfaction recorded by the appropriate Government is not justifiable. Otherwise, we will be having two rounds of litigation, one prior to initiation of the Labour Court proceedings and the other thereafter, which is certainly detrimental to the interest of industrial peace and harmony.

5. That being the position, we are not inclined to entertain the Special Leave Petition.

6. Accordingly, the Special Leave Petition is dismissed. It is, however, made clear that all contention(s) are kept open.

7. Pending application(s), if any, shall stand disposed of.

(ABHINAV KUMAR)
COURT MASTER (SH)

(CHETNA BALOONI)
COURT MASTER (NSH)