

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 33516/2024

(Arising out of impugned judgment and order dated 25-04-2024 in CR No. 11/2021 20-01-2020 in LPA No. 733/2018 passed by the High Court of Jharkhand at Ranchi)

STEEL AUTHORITY OF INDIA LTD & ORS.

Petitioner(s)

VERSUS

SADA NAND SINGH

Respondent(s)

(IA No.172927/2024-CONDONATION OF DELAY IN FILING and IA No.172928/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.172929/2024-EXEMPTION FROM FILING O.T.)

Date : 27-08-2024 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. Dhruv Mehta, Sr. Adv.
Mr. Yashraj Deora, Sr. Adv.
Mr. Anshul Rai, AOR
Mr. Ravilochan Daliparthi, Adv.
Mr. Priyesh Mohan Srivastav, Adv.
Mr. S.K. Pandey, Adv.
Mr. Awanish Kumar, Adv.
Mr. Chandrashekhar A. Chakalabbi, Adv.
Mr. Abhinav Garg, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

1. Heard Mr. Dhruv Mehta, learned senior counsel appearing for the petitioners.
2. The counsel would refer to the SAIL Gratuity Rules (Annexure P/1) and more particularly clause 3.2.1(c), which reads as under:

“(c) The company will have the right to withhold the gratuity amount payable to an ex-employee or his

nominee/legal heir(s), in case of his death, for non-compliance of Company's rules including non-vacation of Company's accommodation. No interest shall be payable on the gratuity amount so withheld for the period of unauthorised occupation of Company's accommodation and up to one month after the vacation of the Company's accommodation."

3. The office order dated 16.06.2009 (Annexure P/2) is also read by the learned senior counsel.

4. With the above, the counsel submits that SAIL employees who are allotted company quarters are expected to vacate the quarter within the maximum permissible time of 12 months and for occupation beyond that, the company is entitled to withhold the gratuity payable to the superannuated employee.

5. It is then submitted that the respondent herein had superannuated on 30.11.2009 and he continued to occupy the company quarter well beyond the permissible period until he vacated the same only in the year 2017, when the matter was pending before the learned Single Judge. Therefore, the High Court should not have allowed only nominal rent recovery for the illegal occupation of the quarter as this will have far-reaching implication for an organisation like the SAIL which has around 80,000 employees and only limited number of quarters are available.

6. Issue notice, both on the delay condonation application and the Special Leave Petitions, returnable in four weeks.

7. In the meantime, operation of the impugned order is stayed.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(DIVYA BABBAR)
COURT MASTER (NSH)