

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.8255-8256 OF 2016
(Arising out of SLP (C) Nos. 6486-6487 of 2016)

KESHAV H. GHOLVE AND ANR. ETC.APPELLANTS

VERSUS

M/S THERMAX LTD. AND ETC.RESPONDENTS

J U D G M E N T

KURIAN, J.

Leave granted

2. The appellants are aggrieved since they are not permitted to be represented by a lawyer in the domestic enquiry.

3. It is now a settled position that unless management engages a law man, the delinquent workman is not entitled to engage a law man.

4. The learned counsel for the appellants apprehends that in view of the standing orders, he would not be in a position to engage an employee of his own choice and his choice would be restricted to an employee in the department concerned.

5. The learned senior counsel appearing for respondents submits that the High Court has taken care of the apprehension and has made it clear in the impugned order that the appellants are free to engage any employee of their choice from the respondent-company or a representative of a trade union operating in the respondent- management.

6. Anyhow on the apprehension expressed by the learned counsel for the appellants, we make it clear that de hors any restrictions in the standing orders, the appellants are permitted to be represented by an employee of their choice from the respondent-company or a representative of a trade union operating in the respondent-management.

7. With the above observations appeals are disposed of.

.....J.
[KURIAN JOSEPH]

.....J.
[ROHINTON FALI NARIMAN]

NEW DELHI
AUGUST 23, 2016



JUDGMENT