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SLP(C)No. 2888 OF 2000

ITEM No.206

Court No. 2

SECTION XV  
A/N MATTER

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

Petition(s) for Special Leave to Appeal (Civil) No.2888/2000

(From the judgement and order dated 27/08/1999 in DBCSA 1068/96  
of The HIGH COURT OF RAJASTHAN AT JAIPUR)

DHARAM CHAND JAIN

Petitioner (s)

VERSUS

G.M., SHRI RAM FERTILISERS & CHEM.

Respondent (s)

( With Appln(s). for exemption from filing O.T. and office report )  
( For Final Disposal )

Date : 12/04/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.P. BHARUCHA  
HON'BLE MR. JUSTICE Y.K. SABHARWAL

For Petitioner (s) Mr. Indra Makwana,Adv.

For Respondent (s) Mr. H.K. Puri,Adv.  
Mr. S.K. Puri,Adv.  
Mr. Rajesh Srivastava,Adv.  
Mr. Ujjwal Banerjee,Adv.  
Mr. Harpreet Singh Sandhu,Adv.

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

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Exemption allowed.

Leave granted.

The civil appeal is allowed.

No order as to costs.

(T.I. Rajput)  
Court Master

(Shelly Sengupta)  
Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

Civil Appeal No. 2746 of 2001@@  
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(Arising out of S.L.P. (C) No.2888 of 2000)

Dharam Chand Jain ...Appellant (s)

Versus~

General Manager, Shri Ram Fertilizers  
and Chemicals ....Respondent (s)

O R D E R@@  
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Leave granted.

The notice that was issued stated that the respondents should show cause why the delay in filing the writ petition should not be condoned and why it should not be directed to be heard along with a writ petition filed by the respondents against the very same judgment of the Labour Court.

Having heard learned counsel, we are of the view that that is the appropriate order to pass and that the laches of the appellant in filing the writ petition should, in the circumstances, not be considered fatal.

We make it clear that we express no views on the merits of the case on either side.

Accordingly, the civil appeal is allowed. The order ...2/-

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under challenge dismissing the writ petition is set aside. The writ petition is restored to the file of the High Court to be heard and disposed of on merits along with the writ petition (No.7415 of 1992) filed by the respondents.

No order as to costs.

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.....J.  
(S.P. Bharucha)@@  
AAAAAAAAAAAAAAAA

.....J.  
(Y.K. Sabharwal)@@  
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New Delhi,  
April 12, 2001.