

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).4200/2007

(From the judgement and order dated 20/02/2007 in LPA No. 15/2007 & CA No. 19/2007 & WP No. 2347/2006 of The HIGH COURT OF BOMBAY)

SWEET CONFECTIONARY Petitioner(s)

VERSUS

S.M.KHOT & ORS. Respondent(s)

(With prayer for interim relief and office report)

Date: 08/02/2008 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE C.K. THAKKER
HON'BLE MR. JUSTICE D.K. JAIN

For Petitioner(s) Mr. U.U. Lalit, Sr. Adv.
Mr. Amol Chitale, Adv.
Mr. R.N. Karanjawla, Adv.
Mrs. Manik Karanjawala, Adv.
Ms. Pragya Singh Baghel, Adv.
Mrs Manik Karanjawala, Adv.

For Respondent(s) Mr. Bharat Sangal, Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted.

The appeal is disposed of without observing anything on merits. It is open to the parties to raise all contentions.

[Charanjeet Kaur]
Court Master

[Vinod Kulvi]
Court Master

[Signed order is placed on the file]
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1186 OF 2008
(Arising out of SLP(C) NO. 4200/2007)

Sweet Confectionary .. Appellant(s)
Versus
S.M. Khot & Ors. .. Respondent(s)

ORDER

Leave granted.

The present appeal arises out of an interim order passed by the High Court. From the record, it is clear that Labour Court passed an award in favour of respondent-employees holding that provisions of Section 25-F of the Industrial Disputes Act, 1947 (for short, 'the Act') had not been complied with and granted relief by reinstating the respondents herein with full back wages. The Industrial Court confirmed that order. Being aggrieved by the said orders, the

appellant approached the High Court by filing the writ petition. The High Court issued rule nisi, but rejected the application for stay. The Division Bench of the High Court confirmed that order against which the present appeal is filed by way of special leave to appeal. Notice was issued and ad-interim stay was granted.

Heard learned counsel for the parties.

Learned counsel for the appellant submits that an appropriate direction may be issued to the High Court so that the main matter may be disposed of. Meanwhile, ad-interim relief granted by this Court may be continued.

..2/-

:2:

Learned counsel for the respondents, on the other hand, strongly objects to the prayer of continuation of relief stating that if the High Court was satisfied and even if this Court is satisfied about the prima facie case by the appellant, an appropriate relief has to be granted to the workmen as provided under Section 17-B of the Act.

On the facts and in the circumstances of the case and, particularly, when rule nisi is issued, it would be appropriate, if we request the High Court to dispose of the main matter as expeditiously as possible, preferably within a period of six months. Ordered accordingly.

The High Court will, however, hear the parties and pass an appropriate order exercising powers under Section 17-B of the Act.

The appeal is disposed of without observing anything on merits. It is open to the parties to raise all contentions.

.....J
[C.K. THAKKER]

.....J
[D.K. JAIN]

NEW DELHI,
FEBRUARY 08, 2008.