

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

Petition(s) for Special Leave to Appeal (Civil) No.10770/2000

(From the judgement and order dated 29/03/2000 in MFA 280/00
of The HIGH COURT OF KARNATAKA AT BANGALORE)

BANGALORE URBAN & RURAL DISTT. CO-OP
MILK PRODUCERS SOCIETIES UNION LTD.

Petitioner (s)

VERSUS

EMPLOYEES STATE INSURANCE CORPORATION

Respondent (s)

(With prayer for interim relief and office report)
(For Final Disposal)

Date : 25/01/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAJENDRA BABU
HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

For Petitioner (s) Mr. Naveen R Nath, Adv.
Mrs. Lalit Mohini Bhat, Adv.
Mr. Shiv Kumar Suri, Adv.

For Respondent (s) Mr. V.J. Francis, Adv.

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

.....L.....I.....J
.SP2

Leave granted.
The appeal is allowed in terms of the signed order.

.SP1

Charanjit

[R.K. Kumar]
Court Master

0 [Signed order is placed on the file]

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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 879/2001@@
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[Arising out of SLP(C) 10770/2000]

Bangalore Urban & Rural Distt. Co-op. .. Appellant
Milk Producers Societies Union Ltd.

Vs.

Employees State Insurance Corporation .. Respondent

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.....L.....I.....J
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Leave granted.

In a proceeding arising under Section 75 of the E.S.I. Act a claim was made to set aside the order made on 6.9.1994 claiming a contribution of Rs. 4,81,312.33. It is brought to our notice that the matter was not heard at all by the E.S.I. Court.

In the circumstances set forth in their petition before us there is no reason to doubt the bona fide of the submission made on behalf of the appellant. Therefore we set aside the order made by the E.S.I. Court and the order made by the High Court affirming the same and remit the matter to the E.S.I. Court for fresh disposal in accordance with law. The parties shall appear before the E.S.I. Court on 16.2.2001 and take further directions regarding hearing of the matter. The appeal is allowed accordingly.

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[S. RAJENDRA BABU]@@
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[K.G. BALAKRISHNAN]@@
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New Delhi,@@
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January 25, 2001@@
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