

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.14974/2000
(From the judgement and order dated 05/05/2000 in CMWP 38860/97
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

AGRA DEVELOPMENT AUTHORITY Petitioner (s)

VERSUS

SAYEED KHAN Respondent (s)

(With Appln(s). for exemption from filing O.T. and
permission to submit additional document(s) and with prayer for
interim relief and office report)

Date : 11/12/2000 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MRS. JUSTICE RUMA PAL

For Petitioner (s)
Mr. Ashok K. Srivastava, Adv.

For Respondent (s)
Mr. Kavin Gulati, Adv.
Mr. Zatin Javeri, Adv.
Mr. Harish J. Jhaveri, Adv.

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

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Special leave granted.

The appeal is allowed and the judgment of the High
Court as well as the ex parte award of the Labour Court under
the Industrial Disputes Act being Adjudication Case No.
361/1993 are set aside. The Labour Court will now decide the
Adjudication Case afresh after notice to the parties.

(D.P. Walia)
Court Master

(S.L. Goyal)
Court Master

(Signed Order is placed on the file)

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CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 7212 OF 2000@@
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[arising out of S.L.P.(C) No. 14974 of 2000]

Agra Development Authority ..Appellant(s)

vs.

Sayeed Khan ..Respondent(s)

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Special leave granted.
We have heard the learned counsel for the parties.

Without expressing any opinion on the merits of the case, we are fully convinced that in this case the award which was given by the Labour Court which was ex parte should have been recalled because of the negligence on the part of the counsel who was appearing when his son was appearing on the other side.

We, accordingly, allow this appeal and set aside the judgment of the High Court as well as the ex parte award of the Labour Court under the Industrial Disputes Act being Adjudication Case No. 361/1993. The Labour Court will now decide the Adjudication Case afresh after notice to the parties.

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.....J.
(B.N. KIRPAL)

.....J.
(RUMA PAL)

New Delhi;
December 11, 2000.

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