

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.8460 OF 2009
(Arising out of SLP © No.24113 of 2009)

Security Printing & Minting
Corporation of India Ltd. ...Appellant

VERSUS

The Workmen through the
General Secretary & Ors. ...Respondents

O R D E R

Leave granted.

This is an appeal from an order passed by a
Division Bench of the High Court at Bombay in LPA
No. 202 of 2008, by which an order of a learned
Single Judge passed in W.P. No. 5400 of 1996 was
affirmed. The Writ Petition filed by the appellant
was dismissed for default as it was not attended by
the learned counsel for the appellant at the time
of hearing.

An application for restoration of the Writ
Petition was filed in which the reason for not
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attending was that the clerk of the learned
counsel, who looked after the matter, missed the
matter on board. The learned Single Judge rejected
the application and being aggrieved, a Letters
Patent Appeal was filed, which was also dismissed
by the Division Bench of the High Court.

Feeling aggrieved by the said orders, the
appellants have come to this Court by way of a
Special Leave Petition, which on grant of leave,
was heard in presence of the learned counsel for
the parties. Having heard the learned counsel for
the parties and after going through the application

for restoration and the reasons mentioned therein,
we are satisfied with the reasons given by the
appellants in their application for restoration for
not attending the writ petition at the time of
hearing.

For the reasons aforesaid, the impugned orders
are set aside. The appeal is allowed and the writ
petition is restored to its original file, which

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will be heard on merits subject to payment of
Rs.20,000/- as costs by the appellant to be paid to
the respondents within two months from this date.
In default, this appeal shall stand dismissed and
the order of the High Court shall stand affirmed.
In the event, the amount is paid, the writ petition
shall be heard on merits within a period of three
months from the date of depositing the amount, as
mentioned hereinabove. There will be no order as to
costs.

.J.

.....
[Tarun Chatterjee]

New Delhi;

December 11, 2009.

.....J
[Surinder Singh Nijjar]

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ITEM NO.20

COURT NO.3

SECTION XV

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(s).24113/2009
(From the judgement and order dated 24/04/2009 in LPA No.
202/2008 & CA No. 3024/2004 in WP No. 5400/1996 of The
HIGH COURT OF BOMBAY)

SECURITY PRINTING & MINTING CORP.OF I.LD Petitioner(s)

VERSUS

WORKMEN TR.GEN.SEC.OF ISP/CNP UNION &ORS Respondent(s)

(With prayer for interim relief)

Date: 11/12/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE TARUN CHATTERJEE
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Petitioner(s) Mr. Parag P. Tripathi, Sr.Adv.
Mr. K.C. Dua, Adv.
Ms. Madhu Sweta, Adv.
Mr. J. Kynady, Adv.

For Respondent(s) Mr. Vinay Navare, Adv.
Ms. Abha R. Sharma, Adv.

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

Leave granted.

In terms of the signed order placed on the file, the appeal is allowed and the writ petition is restored to its original file,
contd...2/-

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SLP(C)No.24113/2009 contd...

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which will be heard on merits subject to payment of Rs.20,000/- as costs by the appellant to be paid to the respondents within two months from this date. In default, this appeal shall stand dismissed and the order of the High Court shall stand affirmed. In the event, the amount is paid, the writ petition shall be heard on merits within a period of three months from the date of depositing the amount, as mentioned hereinabove. There will be no order as to costs.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master

(Signed Order is placed on the file)