

(1998) 04 SC CK 0127
In the Supreme Court Of India
Case No : Civil Appeal No. 582 of 1983

M.P. Electricity Board

APPELLANT

Vs

National Textile Corpn., Bhopal

RESPONDENT

Date of Decision : 23-04-1998

Acts Referred:

Sick Textile Undertakings (Nationalisation) Act, 1974 — Section 5

Citation : AIR 1999 SC 581 : (1998) AIRSCW 3849 : (1998) 6 SCC 458

Hon'ble Judges : S. S. M. Quadri, J; B. N. Kirpal, J

Bench : Division Bench

Judgement

1. The claim of the appellant is in respect of the electricity dues of the erstwhile textile mills which were taken over by the National Textile Corporation. The claim relates to the period prior to the taking over as on the appointed date, the day when the nationalisation took place.

2. The High Court accepted the contention of the respondent that by virtue of Section 5 of the Sick Textile Undertakings (Nationalisation) Act, 1974 the erstwhile liabilities continued to remain with all the former owners of the mills and that the respondent herein was not obliged to make any payment in respect of the earlier dues.

3. We have gone through the judgment of the High Court which has dealt with all the contentions raised by the appellant and we agree with the reasons contained therein while allowing the writ petition of the respondent and in coming to the conclusion that the respondent herein was not liable to make any payment in respect of dues prior to the appointed date. We find no merit in this appeal and it is accordingly dismissed. But in the circumstances, there will be no order as to costs.