

(2000) 11 SC CK 0061
In the Supreme Court Of India
Case No : Civil Appeal No .4725 of 1999

R.S. Nagar

APPELLANT

Vs

Central Electronics Ltd. and Another

RESPONDENT

Date of Decision : 09-11-2000

Acts Referred:

Uttar Pradesh Industrial Disputes Act, 1947 — Section 6E(2)

Citation : (2003) 3 LLJ 1079 : (2003) 9 SCC 171

Hon'ble Judges : S. Rajendra Babu, J;S. N. Variava, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

1. An application u/s 6-E(2) of U.P. Industrial Disputes Act was filed by the first respondent before the Industrial Tribunal seeking approval of the action of terminating the services of the appellant. When that application was pending consideration another application was filed seeking withdrawal of that application on certain grounds set forth therein. The tribunal rejected that application and thereon a Writ petition was preferred before the High Court.
2. The High Court, consistent with its earlier view allowed the writ petition and directed the withdrawal of the application u/s 6-E(2)(b) of the Act, making however clear that the Reference made by the State Government u/s 4-K of the said Act in the matters before it to continue with certain time bound directions.
3. We think it unnecessary to go into the various questions raised in this appeal inasmuch as all that has happened is that when an application for approval filed by the respondents is sought to be withdrawn, no right or liability flows from it and the same is done at the risk of the respondent. The appellant has no risk in the same. The appeal, therefore, stands dismissed.