
(2001) 03 SC CK 0074

In the Supreme Court Of India

Case No : Civil Appeal No. 6263 of 1999

State of Haryana and Another

APPELLANT

Vs

Hitkari Potteries Ltd. and Another

RESPONDENT

Date of Decision : 20-03-2001

Acts Referred:

Industrial Disputes Act, 1947 — Section 240, 250, 250(3)

Citation : AIR 2001 SC 509 : (2001) AIRSCW 113 : (2001) 3 GLR 1867 : (2001) 1 JT 236 : (2001) 3 LW 27 : (2001) 1 MLJ 166 : (2001) 1 PLJR 200 : (2001) 1 SCALE 23 : (2001) 2 SCC 365 : (2001) SCC(L&S) 422 : (2001) 1 SCR 34 : (2001) 1 Supreme 56 : (2001) 1 UC 405 : (200

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

Bench : Division Bench

Final Decision : Disposed Off

Judgement

S.Rajendra Babu, J.-An application was made by respondent No. 1 (hereinafter referred to as the respondent) under Section 25-0 of the Industrial Disputes Act (for short the "Act") for permission to close down the company on 15.1.1998. On 2.4.1998 a letter was sent by on behalf of the Government to the respondent to the effect that the application filed by it is defective in certain aspects and is hence rejected.

2. Under Section 24-0 (3) of the Act if Government does not communicate the order granting or refusing to grant permission to the employer within a period of 60 days from the date on which such application is made, permission applied shall be deemed to have been granted on the expiration of the said period of 60 days.

3. In the present case the application was not disposed of within a period of 60 days from 15.1.1998 and a communication was sent only long after expiry of that period on 2.4.1998. In that view of the matter the view taken by the High Court that necessary permission as contemplated under the provisions of Section 24-0 of the Act is deemed to have been granted appears to us to be correct and

certain provisions have been made by the High Court in its order regarding protection of rights of the workmen and as claimed by them before the Court. In that view of the matter no useful purpose would be served in going into various questions raised herein the orders were made by the High Court on 15.1.1999 and no steps were taken to obtain any interim order either from that Court or from this Court till 23,7.1999. We think the order made by the High Court should be sustained and no interference is called for. The appeal is disposed of accordingly.