

**SUPREME COURT OF INDIA**

Lloyds Bank Ltd.

Vs.

Lloyds Bank Indian Staff Association

C.A.No.79 of 1953

(M. Patanjali Sastri, C.J.I., B. K. Mukherjea, S. R. Das and Ghulam Hasan, JJ.)

17.04.1953

**JUDGEMENT**

**PATANJALI SASTRI C. J.**

1. This is an appeal by Special Leave from an award of the All India Industrial Tribunal (Bank Disputes).

2. A preliminary objection is raised to the maintainability of this appeal, the liberty to raise such objection having been reserved to the respondents at the time when Special leave was granted to the appellants. The objection is that the award was passed on 5.1.1950 and was published under S. 17, Industrial Disputes Act, 1947, by the Government in a notification of the Ministry of Labour dated 17.1.1950 and was also declared binding on the same day for a period of one year. Article 136 has, therefore, no application to the award as it has been held by this Court that the said article has no retrospective operation. This is not disputed by Mr. S. Chaudhuri but he argues that the award was really published only on 28.1.1950, when the notification referred to above appeared in the Gazette of India. We see no force in this argument. The preliminary objection is allowed and the appeal is dismissed with costs.

Appeal dismissed.

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