

M/s. Geep Industrial Syndicate Ltd.

Vs

Central Government and Others

Civil Appeal No. 1878 of 1972

(R. S. Pathak, A. P. Sen, D. P. Madon JJ)

04.04.1986

JUDGMENT

PATHAK, J. -

1. Admittedly the facts in this case correspond to those giving rise to the Union Carbide India Limited v. Union of India ((1986) 2 SCC 547) and the issues raised in this appeal are identical with those arising in that appeal. The only difference is that the complaint in the writ petition filed by the present appellant in the High Court was that the revision petition filed by it before the revising authority was disposed of summarily by an order which did not disclose any reasons on the face of it, and it was urged that the revising authority was bound to have given its reasons for the order dismissing the revision petition. The grievance found favour with the learned Single Judge, and he allowed the writ petition quashing the order of the revising authority. He directed it to rehear the revision. He did not enter into the controversy between the parties on its merits. Aggrieved by his failure to consider the case on its merits the appellant preferred a special appeal in the High Court. That special appeal was disposed of by a Division Bench of the High Court by a common judgment and order dated February 22, 1972, by which the learned Judges disposed of also the special appeal giving rise to the aforesaid Union Carbide India Limited v. Union of India ((1986) 2 SCC 547). As the question raised on the merits in the two appeals are identical, learned counsel for the parties are agreed that this appeal should also be concluded by an order similar to that disposal of the said Union Carbide India Limited v. Union of India ((1986) 2 SCC 547).

2. Accordingly, for the reasons set forth in the judgment and order of date disposing of the said Union Carbide India Limited v. Union of India ((1986) 2 SCC 547), this appeal is allowed, the judgment and order dated February 22, 1972 of the Division Bench of the High Court of Allahabad are set aside and the writ petition is allowed and the reliefs claimed by the appellant in the writ petition are granted. The appellant is entitled to its costs of this appeal.

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