

M. P. Transport Workers' Federation Bhopal/State of M. P. and Another

Vs

Rajya Parivahan Karamchari Mahasangh, Ujjain and Others

Civil Appeal Nos. 3808 and 3813 of 1984

(J. S. Verma, S. P. Bharucha, Sujata V. Manohar JJ)

23.01.1996

ORDER

1. Both these appeals by special leave are against the judgment of the High Court allowing a writ petition filed by Respondents 1 and 2 and quashing the order dated 1-7-1982 passed by the Registrar recognising the appellants as the representative-Union and also quashing thereby the order dated 13-7-1982 cancelling the recognition of Respondent 1-Rajya Parivahan Karamchari Mahasangh.
2. One of the grounds on which the recognition of the appellant as representative-Union was quashed by the High Court is that there was non-compliance of Rule 13 of the M.P. Industrial Relations Rules, 1961 framed under the M.P. Industrial Relations Act, 1960. Rule 13 required notice to be put up in the prescribed manner of an application for recognition received from a Union under sub-section (1) of Section 13 of the Act enabling any person within the period specified in the notice to file objections thereto. Admittedly, the notice as envisaged by Rule 13 was not put up of the application made by the appellant seeking recognition under sub-section (1) of Section 13 of the Act. The High Court has taken the view that the non-compliance of Rule 13 by itself was sufficient to quash the recognition granted to the appellant. Some other grounds are also set out in the High Court's judgment for its ultimate decision.
3. It is unnecessary to refer to the other grounds in view of the fact that the non-compliance of Rule 13 and the consequent denial of opportunity to file objections is sufficient to sustain the High Court's order. For this reason, we express no opinion on the other grounds set out in the High Court's order to support its conclusion.
4. The appeals are, therefore, dismissed.
5. No costs.