

Nagammai Cotton Mills and Others

Vs

Asstt. Director, Regional Office of the Textiles Commissioner, Ministry of Textiles and Others

Civil Appeals No. 6774 of 1996

(K. Ramaswamy, G. B. Patianaik JJ)

25.03.1996.

ORDER

1. Delay condoned.
2. Leave granted.
3. We have heard learned counsel on both sides.
4. When the matter had come up in the first instance before another Bench in SLP (C) No. 6611 of 1995, pursuant to the concession made by the learned Additional Solicitor General, by order dated 25-9-1995 this Court passed the order as under :

"In view of the statement made by the learned Additional Solicitor General that if the current obligation pursuant to the notification dated 20-3-1995 is carried out by the petitioner, the respondents will not hold them liable for any past liability, the petitioner does not intend to press the SLP which is accordingly disposed of as withdrawn. The learned counsel for the petitioner has submitted that the petitioner has not raised any objection to its prospective liability under the said notification dated 20-3-1995."

5. Subsequently, the appellants claimed the same relief. In view of the liability which was sought to be avoided by the appellants, the Union of India had filed a review petition before the Bench which came to be dismissed by order dated 13-3-1996. Since the same question is involved in these cases, the same order should equally follow. The learned counsel for the Union of India seeks to contend that the concession relates to the period from 1-4-1993 to 31-3-1995. The liability now sought to be wiped out relates in addition to the above to the period from 1-4-1990 to 30-9-1992. He sought to make that distinction and contends that the matter involves further investigation. We do not find any force in the submission made by the learned counsel. When the past liability was sought to be wiped out for the period from 1-4-1993 to 31-3-1995, the same principle per force would apply to the previous period from 1-4-1990 to 30-9-1992.
6. Under those circumstances, all the appeals are allowed and the orders are quashed as prayed for. However, the order of this Court does not preclude the Government from taking such appropriate steps as are open to them under law for any future liability. No costs.