

Union of India through Secretary, Ministry of Surface Transport & Others

v.

Vartak Labour Union (1)

(Supreme Court Of India)

HON'BLE MR. JUSTICE S.B. MAJMUDAR HON'BLE MR. JUSTICE V.N.
KHARE

Civil Appeal No. 944 Of 1999 | 19-02-1999

1. Leave granted.

2. We have heard the learned counsel for the parties. It appears that there was some bona fide misunderstanding by the learned counsel who appeared before the Division Bench on behalf of the appellants. Even that apart, the Circular dated 25-5-1988 on which reliance was placed requires a closer scrutiny of the Division Bench of the High Court. This was unfortunately not done because of the aforesaid misunderstanding.

3. Hence, without expressing any opinion on the merits of the controversy between the parties, we deem it fit in the interest of justice to allow this appeal and set aside the order of the Division Bench and restore Writ Appeal No.548 of 1996 on the file of the High Court of Gauhati with a request to reconsider the writ appeal on merits after hearing the parties. No costs.