

SUPREME COURT OF INDIA

Workmen Represented By Hindustan V.O. Corpn. Ltd.

Vs.

Hindustan Vegetable Oils Corporation Ltd.

(S.P. Bharucha and S. V. Patil JJ.)

10.04.2000

ORDER

S.P. BHARUCHA, J.

1. Leave granted.

2. The order under challenge has been passed by a Division Bench of the High Court at Calcutta. Its operative portion states that the writ petition filed by the present appellants and their application under Section 17B of the Industrial Disputes Act should be disposed of together, expeditiously. We are of the view that an application under Section 17B should be disposed of before the principal petition and it should be disposed of most expeditiously.

3. We, therefore, set aside the order under challenge to the extent that it requires the disposal of the writ petition and the Section 17B application together and we direct that the Section 17B application should be disposed of with great promptitude and before disposal of the writ petition.

4. The Section 17B application shall be listed before a learned Single Judge of the Calcutta High Court expeditiously, and the parties may seek a fixed date of hearing . It shall be open to the parties to raise all contentions in support of and against the application. It shall also be open to the First respondent to rely upon the order of the B.I.F.R. that it states has been passed.

5. The civil appeal is allowed accordingly.

6. No order as to costs.