

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6665 OF 2021
(@ SLP(C) No.16559/2021)

UTTAR PRADESH STATE ROAD TRANSPORT CORPORATION

APPELLANT(S)

VERSUS

SRI HODIL SINGH

RESPONDENT(S)

O R D E R

Mr. Mohit Kumar Gupta, learned Advocate on Record waives notice on behalf of the respondent.

Leave granted.

The challenge in the present appeal is to an order passed by the High Court of Judicature at Allahabad on 31.08.2021 whereby the writ petition was dismissed as barred by delay and laches on account of the same being filed after six months.

We find that the High Court has applied the principles of limitation while entertaining the writ petition under Article 226 of the Constitution against an award rendered by the Labour Court. The High Court should have not taken a pedantic approach which is not warranted in the cases like this.

Consequently, we allow the present appeal and set aside the order passed by the High Court. The writ petition bearing Writ-C No.15644/2021 is restored to its original number. Liberty is granted to the parties to seek early hearing of the writ petition in accordance with law.

Pending application(s), if any, also stand disposed of.

.....J.
[HEMANT GUPTA]

.....J.
[V. RAMASUBRAMANIAN]

NEW DELHI;
10th NOVEMBER, 2021

ITEM NO.2

COURT NO.11

SECTION XI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 16559/2021

(Arising out of impugned final judgment and order dated 31-08-2021 in WRITC No. 15644/2021 passed by the High Court of Judicature at Allahabad)

UTTAR PRADESH STATE ROAD TRANSPORT CORPORATION

Petitioner(s)

VERSUS

SRI HODIL SINGH

Respondent(s)

(FOR ADMISSION and I.R. and IA No.133210/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.133211/2021-EXEMPTION FROM FILING O.T.)

Date : 10-11-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

For Petitioner(s) Mr. Garima Prashad, Sr. Adv./AAG of U.P.
Mr. Nishit Agrawal, AOR
Mr. Akshay Chowdhary, Adv.
Mr. Parth Yadav, Adv.
Mr. Harsh Mishra, Adv.

For Respondent(s) Mr. Vinay Gupta, Adv.
Mr. Ram Manohar Singh, Adv.
Mr. Mohit Kumar Gupta, AOR

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal is allowed in terms of the signed order.

Pending application(s), if any, also stand disposed of.

(SWETA BALODI)
COURT MASTER (SH)

(RENU BALA GAMBHIR)
COURT MASTER (NSH)

(Signed order is placed on the file)