

**IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NO.4136 OF 2009**  
**(Arising out of SLP(C)No.11039 of 2008)**

**DIV.DIR., AWADH FOREST DIV., LUCKNOW**                      **.....APPELLANT(S)**

**VERSUS**

**INSYATULLAH SIDDIQI**                      **....RESPONDENT(S)**

**O R D E R**

**Delay condoned.**

**Leave granted.**

Having heard learned counsel for the parties and after going through the impugned order, we are of the view that no interim order could be passed by the High Court on the pending Writ Petition in view of the fact that the petition filed under Section 17 B of the Industrial Disputes Act was not maintainable under the U.P.Industrial Disputes Act. That being the position, we set aside the impugned order. However, considering the facts and circumstances of the present case and in view of the fact that the award has been passed 15 years back, we request the High Court to dispose of the pending Writ Petition within two months from the date of communication of this Order to it.

We make it clear that we have not gone into the merit of the case and the same shall be decided by the High Court.

The impugned order is accordingly set aside and the appeal is allowed to the extent

indicated above. There shall be no order as to costs.

.....J.  
( TARUN CHATTERJEE )

.....J.  
( R.M.LODHA )

NEW DELHI;  
JULY 6, 2009.

