



IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA

&

HON'BLE SHRI JUSTICE ALOK AWASTHI

ON THE 30th OF JANUARY, 2026

MISC. PETITION No. 315 of 2026

MEDICAPS LIMITED THROUGH FACTORY MANAGER

Versus

SMT. SANJU AND OTHERS

Appearance:

Ms. Kirti Patwardhan - Advocate for the petitioner.

ORDER

Per. Justice Vijay Kumar Shukla

The present petition is filed under Article 226 of the Constitution of India challenging the order dated 25.06.2025 passed by the Industrial Court, Indore (M.P.).

02. Facts of the case, in a nutshell, are that the petitioner is an industrial establishment governed by the provisions of the Industrial Disputes Act, 1947 and the Madhya Pradesh Industrial Relations Act, 1960 (hereinafter referred as "MPIR Act"). The petitioner's plant was closed down on 22.11.2019 after following due process of law and all employees working in the said plant were paid their lawful dues as payable under the provisions of the Industrial Disputes Act. Despite settlement of all statutory dues, certain employees filed applications under Section 31(3) read with Sections 61 and 62 of the MPIR Act, challenging the action of closure undertaken by



the petitioner. All such applications were consolidated by the Labour Court and were finally decided by a common judgment dated 20.06.2024 passed in Application No.4/MPIR/20, whereby the Labour Court rejected all the applications and upheld the action of closure.

03. Being aggrieved by the said judgment, the employees preferred Appeal No.63/MPIR/24 before the Industrial Court. The Industrial Court, after due consideration, dismissed the appeal and affirmed the findings of the Labour Court, holding that the closure of the petitioner's plant was legal and proper. Thereafter, the respondents filed a fresh application before the Labour Court contending, *inter alia*, that their services were terminated on 22.11.2019. It was further contended that after three to four months of termination, a nationwide lockdown due to the COVID-19 pandemic was imposed.

04. The respondents further claimed that upon subsequently approaching the Labour Court, they were advised to submit a representation to the petitioner. When the said representation was not accepted, the respondents filed an application before the Labour Office seeking condonation of delay in filing the claim. The petitioner raised a specific objection before the Labour Court regarding limitation, contending that the claim was barred under Section 62 of the MPIR Act, which prescribes a limitation period of one year. The Labour Court, after considering the objections raised by the petitioner, rejected the respondents' claim on the ground that it was filed beyond the prescribed period of limitation.

05. Being aggrieved by the said order, the respondents preferred an



appeal before the Industrial Court. The Industrial Court, relying upon the directions issued by the Hon'ble Supreme Court extending limitation during the COVID-19 period up to February 2022, held that the delay deserved to be condoned and consequently remanded the matter back to the Labour Court for fresh adjudication. Being aggrieved by the order of remand passed by the Industrial Court, the petitioner has preferred the present petition.

06. Counsel for the petitioner argued that so far as the closure of the petitioner company is concerned, the same was challenged before the Labour Court and same was dismissed and it was held that the closure was legal, against the same the appeal was also dismissed. Now, all different set of workmen have raised the same issue with the delay of 4 years. The Labour Court dismissed the said reference on the ground of the limitation. The same was challenged before the Industrial Tribunal and the Industrial Tribunal allowed the appeal and remanded the matter to the Labour Court to decide the case on merit.

07. Counsel for the petitioner further argued that the Industrial Tribunal erred while setting aside the order passed by the Labour Court, as the delay was not properly explained by the workmen. She argued that even if it is accepted that same period was covered by the COVID-19 period, still there was a delay of about 15 months, which has not been explained by them.

08. After hearing learned counsel for the petitioner, we find that the Tribunal had taken into consideration that the case was filed by the workmen and they specifically pleaded that they were not literate and were not aware



of the legal provisions. Apart from that, the period was covered by the COVID-19 period and, therefore, a lenient view has to be taken on the point of limitation. In the case of *Inder Singh V/s State of Madhya Pradesh, 2025 SCC OnLine SC 600*, the Hon'ble Supreme Court said that a lenient view should be taken on the point of limitation.

9. Considering the same and also that these legislations relating to the workmen are beneficial legislations and hypertechnical approach in respect of the limitation should not be adopted, therefore, the Industrial Court has rightly set aside the order of the Labour Court and remanded the matter. The petitioner will have all rights to raise all contentions before the Labour Court.

10. In view of the above, this Misc. Petition stands **dismissed**. No order as to costs.

(VIJAY KUMAR SHUKLA)
JUDGE

Divyansh

(ALOK AWASTHI)
JUDGE