

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY APPLICATION NO. 386 OF 2013
IN
COMPANY PETITION NO. 369 OF 2003

Gujarat Rajya Shramajivi Karamachari Union ... Applicant

IN THE MATTER BETWEEN :

BIFR ... Petitioner

Versus

S.L.M. Industries Limited ... Respondent

And

Gujarat Rajya Shramajivi Karamachari Union ... Applicant

Versus

The OL of S.L.M. Industries Limited .. Respondent

Mr. N.M. Ganguli for the Applicant.
Mr. J.P. Sen, Senior Advocate for the OL.
Mr. S. Ramakantha, OL, present.

CORAM : S.J. KATHAWALLA, J.
DATED : 10TH FEBRUARY, 2015

P.C.:

1. Mentioned. Not on board. Taken on board.
2. Mr. Ganguli, the learned Advocate appearing for the Applicant states that the Official Liquidator whilst adjudicating the claims of the workers have not considered several issues namely, the definition of workers in Section 2(s) of the Industrial Disputes Act, 1947 ; whether the

workers who have passed away or superannuated are entitled to the closure compensation ; whether the adhoc allowance is an integral part of the wages and therefore admissible under the Payment of Gratuity Act, etc.

3. Mr. Ganguli is directed to give his written submissions on all the issues raised by him to the Official Liquidator within a period of three weeks from today.

4. The Official Liquidator shall take legal opinion on all the issues raised by Mr. Ganguli and thereafter adjudicate all the claims and pass appropriate orders within a period of six months from the date of this order.

5. In the event of the Applicant being aggrieved by the fresh adjudication orders passed by the Official Liquidator, they are always at liberty to impugn the same before this Court.

6. The above Company Application is accordingly disposed of.

(S.J. KATHAWALLA, J.)