

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY APPLICATION NO. 244 OF 2014
IN
COMPANY PETITION NO. 369 OF 2003

Mr. Mukesh K. Parmar,

representing 353 workers (including himself)

and 14 office staff of the Company S.L.M.

Maneklal Industries Limited now known as SLM

Industries Limited ... Applicant

IN THE MATTER BETWEEN :

BIFR ... Petitioner

Versus

S.L.M. Maneklal Industries Limited

now known as SLM Industries Limited ... Respondent

Versus

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

Mr. V.M. Bhardwaj 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.

The Applicant in the above Application has filed the claims of 353 workers (including himself) and 14 office staff before the Official Liquidator. It is the case of the Applicant that this Court should prior to

adjudication of their claims by the Official Liquidator decide the issue pertaining to bonus, the definition of workers in Section 2(s) of the Industrial Disputes Act, 1947 and the interest payable to the workers in case the Company fails to pay the dues of the workers in time.

These are all issues, which the Official Liquidator has to decide. In the event of the claimants / workers being aggrieved by his decision can move the Court for appropriate reliefs. The learned Advocate appearing for the Applicant is therefore directed to give his written submissions on all the three issues to the Official Liquidator within a period of three weeks from today.

The Official Liquidator shall seek legal opinion on all three issues and accordingly adjudicate all the claims and pass appropriate orders within a period of 16 weeks from today.

In the event of the Applicants being aggrieved by the adjudication/decision of the Official Liquidator, they are always at liberty to impugn the same before this Court.

The above Company Application is accordingly disposed of.

(S.J. KATHAWALLA, J.)