

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

COMPANY APPLICATION (L) NO.851 OF 2015
IN

COMPANY PETITION NO.731 OF 1998

Mr. Pravin Ramchandra Rasam	)	Applicant
And		
NRC Limited	)	Petitioner
V/s.		
The Official Liquidator of M/s.Aminex	)	
Alkalies Ltd. (in liqn.)	)	Respondents

Mrs.Molina Pritam Thakur for the applicant.

CORAM : K.R.SHRIRAM,J

DATE : 23.12.2015

P.C.:-

1 The application is for condonation of delay of 3285 days in filing the affidavit of claim and to direct the official liquidator to accept the affidavit of claim of the applicant.

2 It is stated in the affidavit in support that the applicant had joined the services of the company in liquidation on 2.2.1989 and was terminated from services on 5.7.1997. The applicant had challenged the termination and approached the Conciliation officer of labour department. As the conciliation failed the matter was referred to the Labour court. The Labour court did not grant permission of reinstatement and company went in liquidation on 26.4.1999. The applicant was directed to move an application under the provisions of Industrial Disputes Act 1947 for recovery of his legal dues/claim/ monetary benefits from the company. His application before the 1st

Labour court at Mumbai got disposed only on 17.9.2014.

3 It is also stated that as the applicant was not aware of the correct procedure, took some time and he was able to file his affidavit of proof of debt only on 2.7.2015. The applicant who was a workman therefore, states that delay be condoned.

4 Having considered the affidavit in support and from the order of the Labour court, I am satisfied that his case for reasons mentioned in affidavit in support, requires to be considered sympathetically.

5 In view thereof, I am inclined to condone the delay and direct the official liquidator to accept the affidavit of claim of the applicant and dispose the same in accordance with law. In the circumstances, application is allowed in terms of prayer clauses-(a) and (b). Application stands disposed.

(K.R.SHRIRAM,J)

CERTIFICATE

**Certified to be true and correct copy of the original
signed Judgment/Order.**