

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.32 OF 2016

IN

ARBITRATION APPEAL NO.47 OF 2013

WITH

CIVIL APPLICATION NO.33 OF 2016

IN

ARBITRATION APPEAL NO.48 OF 2013

WITH

CIVIL APPLICATION NO.34 OF 2016

IN

ARBITRATION APPEAL NO.49 OF 2013

B.G. Shirke Construction Technology Applicant
Pvt. Ltd.

In the matter between

Rajasthan State Co-op. Oil Seed
Grover's Federation Ltd. Appellant

Vs.

Shirke Structural Pvt. Ltd. & Anr. Respondents

Mr. Sukand R. Kulkarni, Advocate for the Applicant.
Mr. Rupesh Dhumatkar i/by Jhangiani Narula and Associates
for the Appellant.

Mr. P.M. Jadhav, Advocate for Respondent no.2.

Coram : **Smt. R.P. SondurBaldota, J.**

Date : 16th September , 2016

P.C. :

1 The applicant herein today represents original respondent no.1. Respondent no.2 to the civil applications and the arbitration appeals has no objection to the relief sought in the civil applications. However, the original appellant has taken an objection thereto.

2 The applicant is B.J. Shirke Construction Technology Pvt. Ltd.. Original respondent no.1 is Shirke Structural Pvt. Ltd. According to the applicant, by the order dtd. 10th June, 2004, Shirke Structural Pvt. Ltd. was amalgamated with Shirke Construction Equipment's Private Limited pursuant to the order passed by this court in Company Petition No. 299 of 2004. Thereafter by the agreement dtd. 13th July, 2007, Shirke Construction Equipment's Private Limited was purchased by the present applicant. A copy of the agreement has been annexed to the civil applications. In view of these developments, today the applicant is responsible for the assets and liabilities of Shirke Structural Pvt. Limited. Perused the application, the order passed by this court and the agreement dtd. 13th July, 2007. The civil applications are allowed in terms of prayers clause (b) and (c).

(Smt. R.P. SondurBaldota, J.)