

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

COMPANY APPLICATION (L) NO. 396 OF 2016

IN

COMPANY PETITION NO. 756 OF 1987

Mill Mazdoor Sabha

...Applicant

*Versus*

The Official Liquidator

...Respondent

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Mr. Ravindra Vishnu Sankpal, for the Applicant.

Ms. Yogini Chauhan, Dy. O.L. present.

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CORAM : A.K. MENON, J.

DATE : 24th August 2016

**P.C. :**

1. This is an Application seeking condonation of delay in filing the Affidavits on behalf of the nine workers who were employed with the Company in liquidation and whose interest are represented by the Applicant Union. The Applicant has filed an Affidavit in Support of the present Application. Learned Counsel for the Applicant states that the Application inadvertently mentions that

the same has been made on behalf of the ten workers. However, factually there are only nine workers mentioned in the Affidavit of Proof Debt, the copy of which Exh.B to Exh.J both inclusive. Perusal of these reveal that some of Affidavits are filed on behalf of the deceased workers.

2. In view of the averments contained in the Affidavit, the learned Deputy Official Liquidator has no objection to the delay being condoned. Accordingly, I pass the following order :-

- (i) The delay is condoned.
- (ii) The liquidator is directed to consider the claims in the Affidavits subject to being satisfied about the relationship of the Applicant with deceased workers on whose behalf Application is filed.
- (iii) The Company Application is disposed of in these terms.
- (iv) No order as to costs.

**[A.K. MENON, J.]**