

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

**COMPANY APPLICATION NO. 884 OF 2015
IN
COMPANY PETITION NO. 299 OF 1994**

Sumeet Machines Employees Union
through President Ramdas Nagare .. Applicant
Vs.
The Official Liquidator of
Sumeet Machines Ltd. .. Respondent

**WITH
COMPANY APPLICATION NO. 961 OF 2015
IN
COMPANY PETITION NO. 299 OF 1994**

Ajay Mathur, Ex-Director
Sumeet Machines Ltd. .. Applicant
Vs.
The Official Liquidator of
Sumeet Machines Ltd. .. Respondent

**WITH
COMPANY APPLICATION NO. 1057 OF 2015
IN
COMPANY PETITION NO. 299 OF 1994**

E A Shinde & Ors. .. Applicants
Vs.
The Official Liquidator of
Sumeet Machines Ltd. .. Respondent

**WITH
COMPANY APPLICATION NO. 1032 OF 2015
IN
COMPANY PETITION NO. 299 OF 1994**

Sumeet Employees Welfare Association .. Applicant

In the matter between :

M/s. Varkey Overseas Trading Co. Pvt. Ltd. .. Petitioner
 Vs.
 The Official Liquidator of
 Sumeet Machines Ltd. .. Respondent

**WITH
 COMPANY APPLICATION NO. 23 OF 2016
 IN
 COMPANY PETITION NO. 299 OF 1994**

Sumeet Machines Employees Welfare
 Association .. Applicant
 Vs.
 The Official Liquidator of
 Sumeet Machines Ltd. .. Respondent

Ms.Gayatri Singh with Mr.Zaman Ali i/b Kranti Lazarus Chinnappa for
 applicant in CA/1032/2015, CA/1057/2015.

Mr.Vedchetan Patil i/b Rakesh Reddy for O.L.

Ms.Pratibha Ramaswamy, Asstt. O.L. Present.

**CORAM : K.R.SHRIRAM, J.
 DATE : 3RD FEBRUARY, 2016**

P.C.

COMPANY APPLICATION NO. 1057 OF 2015

1 The application is for leave to implead the official liquidator as
 respondent in application, i.e., IDA No.15/ 2007 pending before the Labour
 Court at Nasik.

2 I have considered the affidavit in support and also heard the counsel
 for the applicant. In my view, the application requires to be allowed and is
 hereby allowed in terms of prayer clause (1), which reads as under :-

1) *That this Hon'ble Court be pleased to grant leave to implead the Official Liquidator as party Respondent in Application IDA No.15/2007 before the Labour Court at Nasik.*

3 The applicant to serve a copy of the amended IDA No.15/2007 within two weeks of carrying out the amendment. Should the official liquidator come to a conclusion that an advocate's service has to be engaged to defend IDA No.15/2007, the official liquidator may do so.

4 The company application disposed accordingly.

COMPANY APPLICATION NO. 1032 OF 2015

5 The application is for leave to implead the official liquidator as respondent in application, i.e., (ULP) No.108/2001 pending before the Labour Court at Nasik.

6 I have considered the affidavit in support and also heard the counsel for the applicant. In my view, the application requires to be allowed and is hereby allowed in terms of prayer clause (1), which reads as under :-

1) *That this Hon'ble Court be pleased to grant leave to implead the Official Liquidator as party Respondent in (ULP) No.108/2001 before the Labour Court at Nasik.*

7 The applicant to serve a copy of the amended *(ULP) No.108/2001* within two weeks of carrying out the amendment. Should the official liquidator comes to a conclusion that an advocate's service has to be engaged to defend *(ULP) No.108/2001*, the official liquidator may do so.

8 The company application disposed accordingly.

9 As regards the rest of the applications, the counsel engaged by the official liquidator, I am informed, is unwell today. Therefore, stand over to 17.02.2016, high on board.

(K.R. SHRIRAM, J.)