

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

Amk

NOTICE OF MOTION NO. 6 OF 2016
IN
WRIT PETITION NO. 1709 OF 2015

Kamani Tubes Ltd. & Ors. ...Applicants

In the matter between

Kamani Tubes Ltd. & Ors. ...Petitioners

Versus

Kamani Employees Union & Ors. ...Respondents

.....

Mr. K. M. Naik, Sr. Advocate a/w. Ms. Shaista Pathan i/b Yusuf & Associates for the Applicants/Petitioners.
Ms. Meena H. Doshi for Respondent No.1.

CORAM : S. C. GUPTE, J.
DATE : 12th APRIL, 2016.

P. C. :

1. Heard learned counsel for the parties.
2. The Notice of Motion is taken out by the original petitioners for recalling and setting aside an order of dismissal passed on 15th December, 2015. In accordance with an order passed by the Supreme Court on 5th April, 2016, learned Counsel for the applicants/petitioners tenders a demand draft of Rs.2 crores for being deposited in this Court. The office to accept the deposit of Rs.2 crores. Upon

such deposit, the order of dismissal dated 7th December, 2015 is recalled and set aside. The petition is restored to file. Learned counsel for the respondents opposes the oral application and submits that the petitioners be ordered to move an formal application for amendment which her client shall oppose. The petitioners to take out a Chamber Summons for amendment of the petition. The same shall be heard on merits.

3. In the meantime the office is directed to invest the amount in a fixed deposit of the nationalised bank initially for a period of one year and thereafter to be renewed from time to time and to abide further orders passed by this Court.

4. The Notice of Motion is disposed of accordingly.

(S. C. GUPTE, J.)