

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY APPLICATION (L) NO.66 OF 2017
IN
COMPANY PETITION NO. 385 OF 2002

Vishwanath Namdeo Patil & Ors.

..... Applicants

IN THE MATTER BETWEEN

BIFR

..... Petitioner

VERSUS

M/s. Swadeshi Mills Co. Ltd.

(In Liquidation) Through

The Official Liquidator, & Ors.

..... Respondents

Ms.Jane Cox, i/b. Mr.M.A.Amonkar for the Applicant.

Mr.Vishal Kanade, a/w. Mr.Tapan Deshpande, Ms.Priya Patwa, i/b. Cyril Amarchand Mangaldas for the Respondent no.2.

Mr.S.A.K.Najam E.S. Sani, i/b. Mr.Maneksha Sethna for the Respondent no.3.

Ms.Yogini Chauhan, Deputy Official Liquidator present.

CORAM : R.D. DHANUKA, J.

DATE : 8th FEBRUARY, 2017

P.C.

Learned counsel for the applicant tenders a copy of the authority letter signed by number of workers which indicates that four applicants to this application are authorized to represent those workers. Letter of authority is taken on record.

2. By this application, the applicant who have filed this application on behalf of themselves and several other employees have prayed that the inspection of the documents prayed in prayer clause (a) of the application be granted and also seeks

true copies of those documents on payment of prescribed charges.

3. It is not in dispute that some of the documents are lying in the custody of the erstwhile time keeper Mr.R.N.Darpe. Learned Deputy Official Liquidator has no objection if Mr. R.N.Darpe is directed to return the documents to the Official Liquidator which are under his control. Statement is accepted.

4. Learned counsel for the respondent nos. 2 and 3 have no objection if the Official Liquidator or Mr. R.N.Darpe is directed to offer inspection of the documents as sought for in the prayer clause (a) of the company application.

5. Mr.R.N.Darpe shall make those documents available to the Official Liquidator to enable the Official Liquidator to offer inspection of those documents to the applicants and also to provide certified copies thereof on payment of requisite charges. The order shall be complied with by Mr.R.N.Darpe within one week from the date of communication of this order. The Official Liquidator shall thereafter furnish inspection of those documents to the applicants within two weeks from the date of the delivery of those documents by Mr.R.N.Darpe to the office of the Official Liquidator and shall also provide photocopies thereof duly certified by the Official Liquidator on payment of requisite charges. It is also made clear that Official Liquidator shall retain the originals of all those documents which are lying with Mr.Darpe. After such inspection is offered to the applicants, the Official Liquidator shall return a set of photocopies of those documents to Mr.Darpe for his custody and retain the original thereof in the office of the Official Liquidator.

(R.D.DHANUKA, J.)