

SAS

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION******WRIT PETITION NO.9911 OF 2019***

Maxheal Pharmaecuticals (India) Ltd. ..Petitioner.

V/s.

Debhasish ro Choudhary & Ors. ..Respondents.

Mr.Pritesh A.Burad for the petitioner.

Mr.F.R.Mishra i/b. Prashant Goyal for respondent No.1.

Ms.Amrita Agrawal i/b. Chetan Jaiswal for respondent Nos. 2 & 3.

CORAM : NITIN W.SAMBRE, J.***DATE : OCTOBER 15, 2019*****P.C. :-**

Heard learned counsel for the petitioner. According to him, M/s.Ally Pharma was amalgamated with the petitioner. The respondent-employee, who was the complainant in Complaint (ULP) No.385/2002 in which the order impugned dated December 14, 2017 was passed, was never employed with the petitioner. As such, according to him, the judgment impugned is not executable against the petitioner.

2. Amalgamation of petitioner with M/s.Ally Pharma, of

which respondent No.1 Debashish Roychoudhary was an employee is not in dispute. Unless, from the scheme of amalgamation which has been approved by this Court, establishes that the liability of the employees of the erstwhile M/s. Ally Pharma is not binding on the petitioner, the contention of the petitioner that the judgment cannot be executable or sustained against the petitioner, cannot be accepted.

3. In the aforesaid backdrop, in my opinion, no case for interference is made out. The petition fails and is dismissed.

(NITIN W.SAMBRE, J.)