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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5410 OF 2016**

NRC Ltd ...Petitioner
Versus
Maharashtra State Electricity Distribution Co Ltd ...Respondents
& Ors

**WITH
WRIT PETITION NO. 4318 OF 2016**

NRC Ltd ...Petitioner
Versus
The Board of Industrial & Financial ...Respondents
Reconstruction & Ors

**WITH
WRIT PETITION NO. 5211 OF 2016**

NRC Mazdoor Sangh ... Petitioner
Versus
Maharashtra State Electricity Distribution Co Ltd ...Respondent
& Ors

**WITH
CIVIL APPLICATION NO. 2185 OF 2018
IN
WRIT PETITION NO. 5211 OF 2016**

Maharashtra State Electricity Distribution Co Ltd ...Applicants
& Ors

Versus

NRC Mazdoor SanghRespondent

WITH
WRIT PETITION NO. 5546 OF 2013

NRC Ltd & Anr ...Petitioners

Versus

The Appellate Authority For Industrial & ...Respondents
Financial Reconstruction & Ors

WITH
WRIT PETITION NO. 7522 OF 2014

NRC Mazdoor Sangh, ...Petitioner
Through Mr. Ambadas Patil, Secretary

Versus

The Board of Industrial & Financial ...Respondents
Reconstruction & Ors

WITH
CIVIL APPLICATION NO. 584 OF 2016
IN
WRIT PETITION NO. 7522 OF 2014

Dhanraj Bhau Gaikwad & Ors ...Applicant

Versus

NRC Mazdoor Sangh, ...Respondent
Through Mr. Ambadas Patil, Secretary

WITH
WRIT PETITION NO. 11661 OF 2015

NRC Ltd

...Petitioner

Versus

Union of India through its Secretary & Ors

...Respondents

**Mr Arshad Sheikh, i/b Satya M Shettigar & Ram Mohite for the
Petitioner in WP 5211/2016**

**Mr Vikram Nankani, Senior Advocate, with Mr Ashishchandra
Rao, Ms Neveli Reshamwalla, Ms Dhruvee Patel for Respondent
in WP 5546/2013 & 7522/2014**

**Mr Pranil Sonawane, with AM Sethna for Respondent No. 1 in WP
11661/2015**

**Ms Jinal Gogri, i/b. Negandhi Shah & Himayatullah for the
Respondent No. 3 in WP 7522/2014**

**Ms Karuna Yadav, for Ms Meena Doshi for Respondent No. 16 in WP
7522/2014**

**Mohinee Chougule, i/b Suresh Kumar for Respondent-PF
Department in WP 4318/2016 & WP 5546/2013**

**Mr MS Bhardwaj, with Ashok Verma for Respondent No. 14 – Union
of India in WP/7522/2014.**

**Mr Ashok Varma, with MS Bhardwaj for Respondent Union of India
in WP/4318/2016**

**Ms Sandhya V Sondhi, for Respondent No. 3 – Union of India in
WP/5546/2013 for Bank of Baroda and for Respondent No. 16 in
WP/7522/2014**

**Ms Gayatri Singh, Senior Advocate, i/b Ronita Bhattacharya with
Deepali K for Applicant in CAW 1762/2018**

**CORAM G.S. Patel &
Gauri Godse, JJ.**

DATED: 27th July 2022

PC:-

1. Of this entire group of matters, Writ Petition No. 5410 of 2016, Writ Petition No. 4318 of 2016 and Writ Petition No. 5546 of 2016 are infructuous and are disposed of as such.
2. Writ Petition No. 11661 of 2015 has a vires challenge. It seems to have been dismissed at an earlier stage and was presumably restored. The challenge is not pressed. The Petition is disposed of accordingly.
3. What remains is Writ Petition 7522 of 2014. We will make a separate order in that regard a little later.
4. Ms Singh submits that all assets in question are in fact being dealt with by the National Company Law Appellate Tribunal (“NCLAT”). Mr. Nankani agrees with this submission and supports it. He submits that all the assets covered by the resolution plan are being dealt with by NCLAT.
5. Mr Shaikh appears for NRC Mazdoor Sangh in Writ Petition 7522 of 2014 and Writ Petition 5211 of 2016. It is his case that there may be surviving issue that can only be taken up by this Court or which is not part of the NCLAT proceedings. He needs time to take instructions. Writ Petition No. 7522 of 2014 and Writ Petition 5211 of 2016 will be listed on 14th September 2022.
6. As regards workmen, employees and other people similarly situated, whether they do or do not belong to a particular Union, we make it clear that we have not decided any of their claims or

contentions in any of the matters before us. All their contentions are expressly kept open for being taken up and adjudicated by the NCLAT.

7. Ms Singh also points out that if NRC has billing dispute with Maharashtra State Electricity Distribution Company Limited, (“**MSEDCL**”) no order should be passed that might prejudicially affect the workmen of NRC Ltd. We are told that there is separate Writ Petition No. 8459 of 2022 filed by NRC Ltd against MSEDCL. That Petition is scheduled for 23rd August 2022. It is open to Ms Singh or her clients to attend that hearing if they so wish.

8. So far as the two Writ Petitions by NRC Mazdoor Sangh are concerned, list these Petitions on 14th September 2022.

(Gauri Godse, J)

(G. S. Patel, J)