

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 13250 OF 2023
IN
WRIT PETITION NO. 317 OF 2018

Dow Chemical International Pvt. Ltd. ...Applicant

Versus

Union of India, Through The Joint Secretary of
Ministry of Labour and Employment and Ors. ...Respondents

...

Mr. Amit Singh a/w Ms. Shivani Deshmukh i/by Abhay Nevagi and
Associates, for Applicant.
None for Respondent.

...

CORAM : SANDEEP V. MARNE, J.
DATE : SEPTEMBER 05, 2023.

P.C.:

1. Heard the learned Counsel for Applicant. The Petitioner/
Applicant had earlier instituted Writ Petition No.12027 of 2017 in which
following interim order dated 3rd November 2017 was passed :

“ 1. Not on board. Upon mentioning, taken on board.

2. The learned Senior Advocate appearing for the Petitioner on
instructions undertakes that until further orders, the Petitioner shall
maintain a balance of Rs.2,03,88,796/- in Account No.2753006 of

Citi Bank, D.N. Road, Branch, Mumbai. The undertaking is accepted.

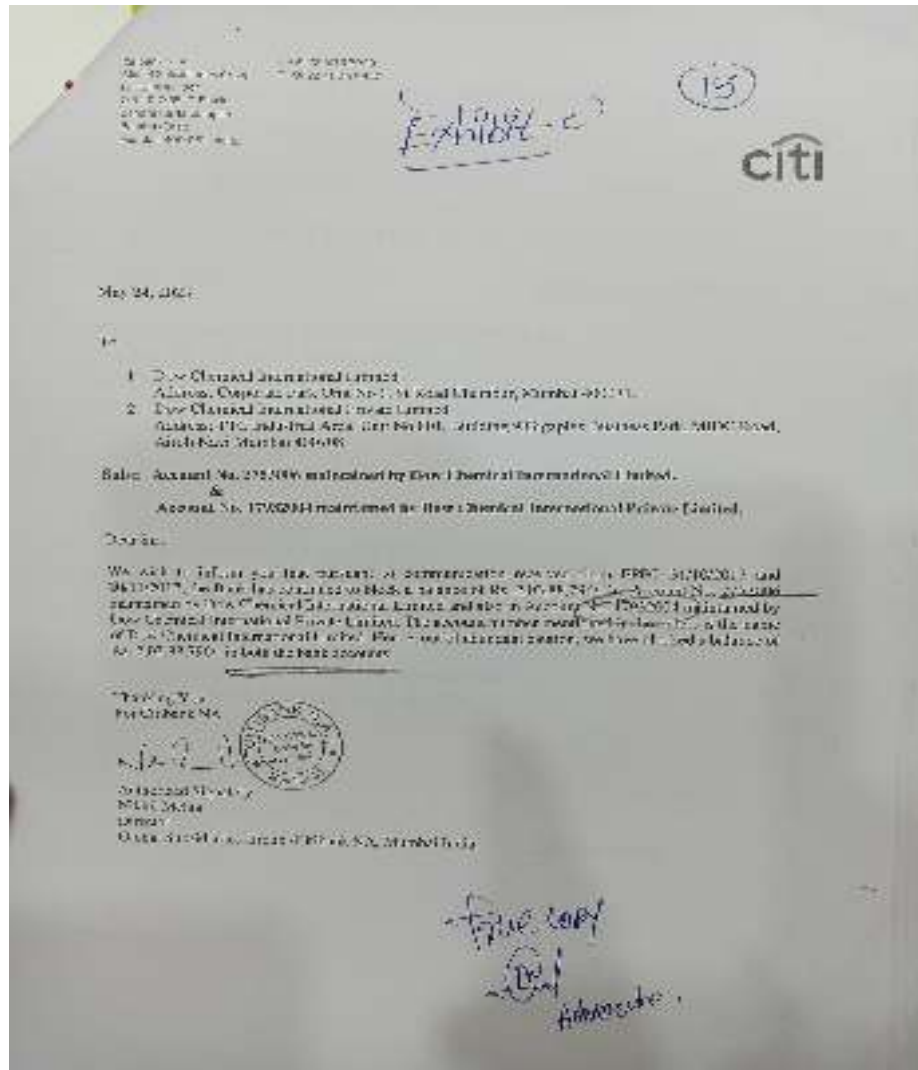
3. In view of the above undertaking, the Petitioner is allowed to operate Account No.2753006 of Citi Bank, D.N. Road, Branch, Mumbai, subject to maintaining a balance of Rs.2,03,88,796/- in the said account.

4. Stand over to 16th November, 2017.”

2. Later Petitioner withdrew Writ Petition No.12027 of 2017 on 8 December 2017 with liberty to file a composite Petition. Accordingly present Petition being Writ Petition No.317 of 2018 has been filed. By order dated 10 January 2018, this Court has continued the earlier interim order passed on 3 November 2017.

3. As a result of the order dated 3 November 2017 passed in the earlier Petition coupled with the order dated 10 January 2018 passed in the present Petition, Petitioner is under an obligation to maintain balance of Rs.2,03,88,796/- in Account No.2753006 of City Bank, D.N. Road Branch, Mumbai.

4. The learned Counsel for Applicant would invite my attention to City Bank's letter dated 24 May 2023 which reads thus :



5. It appears that the Account No.2753006 is maintained by Dow Chemical International Ltd. The present Petition has been filed by Dow Chemical International Pvt. Limited. The correct Account number of Dow Chemical International Pvt. Limited is 17932004. On account of the above discrepancy, it appears that the Bank has blocked amount of Rs.2,03,88,796/- each in both the Accounts bearing Nos.2753006 and 17932004.

6. The present Application is accordingly filed to seek a clarification to the orders dated 03 November 2017 and 10 January 2018. So that Applicant/Petitioner need not keep any balance in Account No.2753006 of another entity being Dow Chemical International Limited. Accordingly it is directed that the Applicant/Petitioner shall maintain balance of Rs.2,03,88,796/- only in Account No.17932004.

7. With the above clarification, the Interim Application is disposed of.

(SANDEEP V. MARNE, J.)