

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

OLR NO. 55 OF 2019

In the matter of Companies Act, I of 1956

And

In the matter of various companies.

Ms.Molina Thakur for the Company Paid Staff of the OL office.

Mr.S.D.Patil, Dy. OL. a/w. Mr.Mahendhar Aithe, Company Prosecutor, present.

Ms.Smita Divekar a/w. Mr.Mithlesh Palav - Junior Assistants from the office of the OL, present.

CORAM : S.J. KATHAWALLA, J.

DATED : 22ND APRIL, 2019

(IN CHAMBERS)

P.C.:

1. The Company Prosecutor from the office of the OL seeks to amend the prayer Clauses (a) and (b) of the above OLR. In view thereof, the Company Prosecutor is allowed to amend the prayer Clauses (a) and (b) of the above OLR. Amendment to be carried out forthwith.

2. I have heard the learned Advocate Shri Arshad Sheikh, who is appointed as Amicus Curiae in the above matter to assist the Court. I have also heard the learned Advocate appearing for the Company Paid Staff attached to the office of the Official Liquidator, and Mr.S.D.Patil, Deputy OL, Mr.Mahendhar Aithe, Company Prosecutor, Ms.Smita Divekar, Junior Assistant, Mr.Mithlesh Palav, Junior Assistant and the following Order is passed :

- i. The above OLR is allowed in terms of prayer Clauses (a) and (b), which Clauses are reproduced hereunder :

"(a) Whether this Court may be pleased to permit the OL to grant promotion to the seven Junior Assistants as stated in para 11 herein above, to the post of Senior Assistants on seniority basis from the date of passing of the Order of this report in the pay scale of PB-1 : 5200-20200+2400 (pre-revised) and fix their salary in accordance with VII Pay Commission accordingly.

(b) Whether this Court would be pleased to permit the OL to grant promotion to the 03 Company Paid Peons Group-D as stated in para 12 hereinabove, to the post of Junior Assistants, on seniority basis from the date of passing order on this report, in the pay scale of PB-1 : 5200-20200+1800 (pre-revised and fix their salary in accordance with VII Pay Commission accordingly."

- ii. The promotions will be given to the above Junior Assistants and Peons working in the office of the OL, from the date of this Order.
- iii. Since the promotions were due earlier but could not be granted due to lack of vacancies, in the interest of justice, the following Junior Assistants shall be paid a lump sum amount of Rs.75,000/- each towards compensation by the office of the OL within a period of two weeks from today :

(a) Mrs.Urmila G. Agashe, (b) Shri Santosh A. Kadam,
(c) Shri Mithlesh R. Palve, (d) Ms.Smita G. Divekar, (e)

Shri Sarvesh Kumar, (f) Ms.Pranita S. Shende and (g)

Mrs. Roopali S. Raut

Similarly, the following Peons presently working in the office of the OL, shall be paid a lump sum amount of Rs.1 Lac each towards compensation by the office of the OL within a period of two weeks from today :

(a) Shri Pramod T. Joshi, (b) Shri V.M. Valmika and

(c) Shri G.B. Chavan

iv. The above OLR is accordingly disposed off.

(S.J.KATHAWALLA, J.)