

BEFORE THE CHAIRMAN, INDUSTRIAL TRIBUNAL,
DAMAN.

IDR No.03/2017

C.N.R.No.UTDD010004312017

Shankarbhai V/s. M/s. Amar Remedies Ltd.
Order Below Exh.1
(Passed on 07/02/2025)

1. First party has contested this petition through liquidator who has been replaced subsequently. As liquidator is also made party to this petition.
2. Main prayer of second party is that to declare that the workmen were terminated illegally without following due process of law alongwith their reinstatement and backwages, continuation of service etc.
3. First party i.e. company through liquidator raised an objection stating that, since company has gone in liquidation and liquidator has been appointed, so entire affairs of that company including liquidation proceeding are being conducted by liquidator concern. Since dispute has gone before NCLT and therefore this Court has no jurisdiction to try and entertain present petition.
4. Having heard arguments of both parties and considering the fact that main prayer of second party referred above is pertaining to declaration of termination of employees.

Therefore, said dispute can be granted by this Tribunal only. So far as claim of compensation and other benefits is concerned, for that second party has to approach the liquidator concern, that too after adjudication of illegal termination of workmen. Hence, matter be proceeded further.

Place : Daman
Date: 07/02/2025

(Sunil G. Vedpathak)
Chairman,
Industrial Tribunal,
Daman.

CERTIFICATE

I affirm that the contents of this P.D.F. file judgment/order are same, word to word, as per the original Judgment/order.

Name of the Stenographer typed by	:	Dhiraj Gajbhiye, Stenographer (H.G.)
Court	:	District & Sessions Court, Daman.
Date	:	07.02.2025
Judgment/Order signed by the Presiding Officer on	:	07.02.2025
Judgment/Order uploaded on	:	07.02.2025