

CS No. 58363/16

NPS Chauhan Vs. The Chairman Cum Managing Director  
Escorts Limited.

30.01.2018

Present: Sh. Ravi Verma, Ld. Counsel for the Plaintiff.

Sh. Naresh Khanna, Ld. Counsel for the Defendants.

Arguments on the application u/s 30 r/w Order 11 Rule 14  
of Section 151 CPC heard.

In the application, it is averred that plaintiff was an  
employee of M/s Escorts Tractors Ltd and was a member of Escorts  
Tractor Limited Senior Staff Superannuation Scheme. His retirement  
dues were not paid in terms of the rules applicable to him. It is averred  
that defendants in their written statement have claimed that M/s  
Escorts Tractors Limited amalgamated in another company namely  
M/s Escorts Limited. Plaintiff has sought production of certain  
documents which are in possession and custody of the defendants.

Defendants have filed reply to this application and have  
contested the same.

I have gone through the file. It was only after the filing of  
the suit, plaintiff came to know that M/s Escorts Tractors Limited has  
been amalgamated in M/s Escorts Limited. The present suit is for  
declaration with consequential relief. In my opinion, documents  
mentioned in list/schedule dated 25.10.2016 at serial no. 1 to 5 and 7  
are relevant for proper adjudication of this case.

In these circumstances, application of the plaintiff is partly allowed. Defendants are directed to produce the documents listed in the list/schedule at serial no. 1 to 5 & 7.

Application stands disposed of.

Put up for further proceedings on 16.04.2018.

(Praveen Kumar)  
Ld. ADJ-05/PHC/NDD  
New Delhi/30.01.2018