

COVID-19 PERIOD

CS No.417/20

Trayambak Yadav Vs. Marula

27.11.2020

File is taken up today on the application of plaintiff u/o 38

Rule 5 CPC.

Present: Sh.Ashutosh Kumar Adv. Ld. counsel for plaintiff present through VC.

Perused, heard.

This is a suit for recovery of Rs.72,61,727/- on account of full and final settlement of dues of the plaintiff. Plaintiff claimed to have served the defenant no.1 compoany having joined the same as Sales Manager in September 2011 and worked uninterruptedly till 31.08.2020. The plaintiff claims to be withdrawing the salary of Rs1 Lakh per month at the time of joining and was promoted as Senior Manager Sales and again as General Manager Sales and his monthly salary was raised to Rs.3,89,916/-.

As per plaintiff, plaintiff is entitld to shut down compensation for at least 240 days on the last wage, apart from bonus to be paid, leave and sales incentives. Ld. counsel submits that the defendant no.1 company is almost shut down and leaving the country and defendant no.1 company is subsdiary of defendant no.2 company which is based in Japan has closed its operations and is under the process of leaving the country. He submits that there is high possibility that the plaintiff shall be left remediless if the if

CS No.417/20

Trayambak Yadav Vs. Marula

the suit amount is not secured at this stage and therefore, he prays for attaching the Bank accounts of the defendant company to the extent of suit amount. Ld. counsel for plaintiff further prays for exparte interim relief in this regard submitting that moment the defendant no.1 company comes to know about the filing of this application, in all likelihood, they will remit the money back to Japan. Perused the documents annexed with the plaint.

In the given facts and circumstances, it is directed that till next date of hearing, following bank accounts of the defendant no.1 company shall remain attached to the extent of Rs.72,61,727/- till next date of hearing.

“i. Bank A/c No.H10-793-400692.

Bank Name: Mizuho Bank Ltd.

Bank type: Current Account

IFSC: MHCB0000793.

Branch Address: 1st Floor, DLF Capitol Point, Baba Kharag Singh Marg, Connaught Place, New Delhi – 110001, India”

ii. Bank A/c No.: 5011467750.

Bank Name: Kotak Mahindra Bank Ltd

Bank Type: Current account.

IFSC: KKBK0000261.

Branch Address: Level 6, JMD regent Square, Mehrauli, Gurgaon Road, DLF Phase -2, Sector -25, Gurugram – 122002.

COVID-19 PERIOD

CS No.417/20

Trayambak Yadav Vs. Marula

iii. Bank A/c No.: 028304

Bank Name: *Bank of Tokyo Mitshubishi UFJ Ltd.*

Bank Type: *Current account*

IFSC: *BOTMoND3611*

Branch Address: *Jeevan Vihar Building, 3 Parliament Street, New Delhi – 110011, India.”*

Issue notice of this application to the defendants through email for date already fixed i.e. 02.12.2020.

Notice be sent through email on the date already fixed I.e on **02.12.2020**

(Munish Markan)
ADJ-03/New Delhi District/PHC,
New Delhi/27.11.2020