

IN THE HIGH COURT AT CALCUTTA
ORIGINAL JURISDICTION
ORIGINAL SIDE

IA No. CA 41 of 2014
(Old No. CA 409 of 2014)
in
BIFR 520 of 1992
Re: Bharat Process & Mechanicals Engineering Ltd. (In Liqn.)
And
Re: T. P. G. Equity Management Pvt. Ltd.
Versus
Official Liquidator & Anr.

IA No. CA 42 of 2014
(Old No. CA 524 of 2014)
in
BIFR 520 of 1992
In the matter of:
Bharat Process & Mechanical Engineering Ltd. (In Liqn.)
Versus
Official Liquidator

IA No. CA 40 of 2013
(Old No. CA 400 of 2013)
in
BIFR 520 of 1992
In the matter of:
Bharat Process & Mechanical Engineering Ltd. (In Liqn.)
And
Re: T. P. G. Equity Management Pvt. Ltd.
Versus
Official Liquidator, High Court, Calcutta

IA No. CA 48 of 2020
(Old No. CA 5 of 2020)
in
BIFR 520 of 1992
In the matter of:
Bharat Process & Mechanical Engineering Ltd. (In Liqn.)
Versus
Official Liquidator & Anr.

Before:
The Hon'ble Justice I. P. MUKERJI
Date: 13th January 2023

Appearance:
Mr. Deepnath Roychoudhury, Advocate
Ms. Shyantee Dutta, Advocate
for TPG Equity Management
Mr. R. L. Mitra, Advocate
for BPMEL
Ms. Sonal Shah, Advocate
For Joint Action forum
Mr. Nemani Srinivas, Advocate
Mr. M. K. Singh, Advocate
for OMOCL

CA No. 48 of 2020
(Old No. CA 5 of 2020)

The Court: Let a copy of this application taken out by the Joint Action Forum comprising of three employees' unions of Bharat Process & Mechanicals Engineers Ltd. (In Liqn.) be served on the respondents, if not served earlier. If already served then notice be served upon each of the respondents.

The Official Liquidator, High Court, Calcutta is to file a report by 25th January 2023 as to the exact funds in his hands which may be disbursed if the applicants succeed in this application.

Ms. Shah appearing for the applicants submits that inspite of the order dated 8th October 2021 passed by the Supreme Court of India in Special Leave Appeal No. 7315-7316/2021 (*Chief Secretary, Government of Odisha vs. Bharat Process And Mechanical Engineers Ltd. & Ors.*) the court should make disbursement of unpaid wages to the ex-employees in whole or in part.

Mr. Nand Lal Singhania appearing for the Union of India submits that this court cannot make any disbursement as long as the order dated 8th October 2021 of the Supreme Court operates staying this court's order dated 3rd March 2020.

On the next date of hearing of this matter learned counsel are directed to produce all relevant orders and documents concerning this matter.

List these applications for further consideration on the first available date for this bench in February, 2023.

(I. P. MUKERJI, J.)