

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION (L) NO.1892 OF 2017
IN
SUIT (L) NO.508 OF 2017**

Mahanagar Telephone Nigam Ltd.Applicant/Plaintiff

Vs.

United Forum of MTNL Unions &
Associations MTNL, Mumbai & Ors.Defendants

Mr. Sandeep V. Marne a/w. Mr. Vishal P. Shirke for applicant/plaintiff.

Mr. J.S. Yadav, Chairman of defendant no.1-Union.

Mr. V.P. Vaidya i/b. Mr. Mahendra Agvekar for defendant nos.2 and 3.

Mr. Vansh Bahadur i/b. Mr. Abhijeet Yadav for defendant no.4.

CORAM : K.R.SHRIRAM, J.

DATE : 28th SEPTEMBER, 2017

PC.:

1 The counsel for plaintiff states that the burden of any amount payable to the employees/retirees of plaintiff is approximately Rs.1166 Crores. The counsel for plaintiff further states that a proposal has been sent to the Government of India in December, 2016 to work out the modalities. The counsel for plaintiff, on instructions states that the Government of India is considering the same.

2 The Court directed that Government of India be made a party to the suit so that the Government of India could also give its comments on the demands.

3 The counsel for plaintiff tenders draft amendment.

4 Leave to amend granted. Amendment to be carried out forthwith. Re-verification dispensed with.

5 Union of India, newly added defendant no.5, is directed to remain present in Court on 9th October, 2017 through a duly authorised Advocate.

6 Mr. Bahadur, counsel for defendant no.4, Mr. Yadav, Chairman of defendant no.1 - Union, who is present in Court and Mr. Vaidya, counsel for defendant nos.2 and 3, on instructions agree that they shall defer the call for strike tomorrow until 10th October, 2017. This was in view of the direction by the Court to make Union of India party to the suit and direction to Union of India to remain present in Court on 9th October, 2017.

7 The statement of all defendants that they shall not go on strike tomorrow or resort to any agitation until 10th October, 2017 is accepted as an undertaking to this Court.

8 On or before 4th October, 2017 plaintiff to serve a copy of the plaint, notice of motion and affidavit in support upon the newly added defendant no.5 and cause title on other defendants.

9 Stand over to 9th October, 2017.

(K.R. SHRIRAM, J.)