



\$~7 (company matter)

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CO.PET. 159/1996 in CO.APPL. 726/2020**

IN THE MATTER OF M/S ELECTRONICS LTD. ... Petitioner
Through: Mr. D. Bhattacharya, Adv. for
Official Liquidator

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER
% **09.12.2020**
(Video-Conferencing)

CO.APPL. 726/2020 in CO.PET. 159/1996

1. By the order dated 21st October, 2019, this Court had directed the official Liquidator to disburse an amount of ₹ 1,19,09,362/- towards the claim of the workmen of M/s Electronics Limited (under liquidation). These are dues which were found payable to the said workmen as adjudicated by the committee appointed by this Court.

2. The necessity of filing of the present application, submits Mr. D. Bhattacharya, appearing on behalf of the Official Liquidator, arose because, after passing of the order dated 21st October, 2019, 95 more workmen, of the company, have pressed, by way of communication to the Official Liquidator, for payment of amounts stated to be due to them.

3. It appears that the said workmen claimed to have submitted representations to the committee, but that the committee had not adjudicated thereon.

CO.PET. 159/1996

Page 1 of 3



4. Mr. Bhattacharya submits that the Official Liquidator is in touch with the committee as well as the concerned 95 workmen in order to examine whether the claim of the said workmen could be adjudicated by the committee. He submits that, should the claims of the said workmen be found to be payable, once the order dated 21st October, 2019 is complied with, *qua* the other workmen of the company, no funds would remain to be paid to the said 95 workmen.

5. As such, this application seeks modification of the order dated 21st October, 2019, by scaling down the amount payable to the workmen of the company, in whose respect directions were issued by the Court in the said order.

6. Any such modification would be possible only after the workmen, who were the beneficiary of the order dated 21st October, 2019, have had an opportunity of being heard in the matter.

7. In view thereof, issue notice of this application to Mr. Ritwik Parikh, who had appeared on behalf of the said workmen of the company, as well as to the counsel, who was representing the former directors of the company.

8. Notice may additionally be issued to the members of the committee (consisting of Ms. Geeta Sharma and Mr. Sanjoy Ghose, learned counsel of this Court) appointed by this Court.



9. However, for the present, the Official Liquidator is directed to release two-thirds of the amount (amounting to ₹ 79,79,272/-) found to be payable to the former workmen in respect of which directions were issued by this Court in its order dated 21st October, 2019.

10. Renotify on 13th January, 2021.

C. HARI SHANKAR, J.

DECEMBER 9, 2020

dsn