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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CO.PET. 159/1996**

IN THE MATTER OF M/S ELECTRONICS LTD. Petitioner

Through: Mr Ritwik Parikh, Advocate.

versus

... .. Respondent

**Through: Mr D. Bhattacharya, Advocate for
Official Liquidator.**

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% 23.03.2022

CA No. 552/2021

1. The petitioner is an association of workmen and a company in liquidation. The petitioner has filed the present application, *inter alia*, praying as under:

- “a) Allow the present Application and direct the Official Liquidator to disburse the amount of Rs. 1,19,09,362/- (Rs. One Crore Nineteen Lakhs Nine Thousand Three Hundred Sixty Two Only) as directed by this Hon’ble Court vide their Orders dated 21.10.2019 and 4.2.2020;
- b) Direct Shri Rajiv Sarin, Ex-Director to pay the shortfall of Rs. 8,04,52,127/- (Rs. Eight Crores Four Lakhs Fifty Two Thousand One Hundred and Twenty Seven Only) as per the final interim Order dated 10.9.2012;
- c) Direct the EPFO to disburse the amount Rs. 1,44,22,754/- to the 216 workmen;
- d) Direct that for gross violation of the Orders dated 21.10.2019, 4.2.2020 and 9.12.2020 appropriate action be taken against the Ex-Management- Rajiv Sarin and the Official Liquidator, including imposition of exemplary cost;”



2. The learned counsel appearing for the Official Liquidator states that an application filed by the Official Liquidator, *inter alia*, seeking orders for the ex-management to pay the shortfall in the workmen dues has already been filed and is pending (CA No. 726/2020).
3. Insofar as the petitioner's prayer for disbursement of the amounts to the workmen is concerned, it is stated that dues to 68 workmen have been disbursed and have been received by them. However, payments to the remaining 92 workmen have not been made for want of necessary documents.
4. The learned counsel appearing for the petitioner states that the necessary documents were provided.
5. Without going into the aforesaid controversy, the petitioner is at liberty to file a fresh set of documents with the Official Liquidator with regard to each of the workmen. The Official Liquidator shall examine the same and point out any deficiency to the petitioner. Subject to the deficiency being cured, the Official Liquidator shall take steps for disbursal of the pro-rata amounts to the remaining workmen as well.
6. The application is disposed of with the aforesaid directions.

VIBHU BAKHRU, J

MARCH 23, 2022
RK

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