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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CO.PET. 159/1996 & CO.APPL. 601/2014, CO.APPL. 1769/2014, CO.APPL. 101/2017, CO.APPL. 85/2020, CO.APPL. 87/2020, CO.APPL. 726/2020, CO.APPL. 152/2023 CO.APPL. 810/2023, OLR 219/2017, OLR 263/2019

IN THE MATTER OF M/S ELECTRONICS LTD.

..... Petitioner

Through:
versus

..... Respondent

Through: Mr. D. Bhattacharya, Standing Counsel for OL
Mr. Siddharth, Standing Counsel with Mr. Anshul Saxena & Mr. Shivam Prakash, Advocates for EPFO

C16

+ CRL.O.(CO.) 21/1998

M/S ELECTRONICS LTD.(IN LIQN.) Petitioner

Through:
versus

MR. SUNIL SARIN & ORS. Respondents

Through: Mr. D. Bhattacharya, Standing Counsel for OL
Mr. Siddharth, Standing Counsel with Mr. Anshul Saxena & Mr. Shivam Prakash, Advocates for EPFO

CORAM:
HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER
11.01.2024

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CO.APPL. 726/2020

1. Mr. D. Bhattacharya learned Standing Counsel for the Official Liquidator (OL) points out that this application for disbursement of



the claims of the workmen and for assessment of additional set of workmen has since been disposed of *vide* order dated 09.12.2020. This Court has perused the said order as also the subsequent order dated 13.10.2022 whereby the remaining relief has been granted. Accordingly, the present application shall stand disposed of and shall not be listed by the Registry in future.

CO.APPL. 810/2023

2. Another application was moved for disbursement of claims of the workmen and the same has also been disposed of in terms of order of this Court dated 03.11.2023. Accordingly, the present application shall also stand disposed of and shall not be listed by the Registry in future.

CO.APPL. 85/2020 & CO.APPL. 87/2020

3. These are applications moved on behalf of the applicant/Bachchu Singh and the applicant/Devi Ram respectively. Both have made similar prayers to the effect that they have been employed as workmen with the respondent/ M/s Electronics Limited (company in liquidation) and seeking directions to the OL for incorporating the date of their appointment in the erstwhile company, ascertain and release their claims.

4. Although, Mr. D. Bhattacharya, learned Standing Counsel for the OL submits that he has no notice of the present application, considering that it concerns the interest of the poor workmen, let the same be considered by the OL and an appropriate report be filed in this regard.

CO.APPL. 601/2014 & CO.APPL. 1769/2014

5. CO.APPL. 601/2014 has been moved on behalf of the workmen/Electronics Kamgar Union whereby they have raised certain



objections to the report of the Workmen's Claims Committee. The long and short of the discussion that has taken place is that the claims of all the applicants/workmen were have been examined at the end of the OL and the claim of as many as 199 workmen have been found to be genuine. Further, total amount outstanding to be paid to the workmen has been found to be approximately 1.5 crores, out of which evidently one crore has been released except for the fact that the OL is now left with the funds of approximately Rs.30 lacs only.

6. Learned counsel appearing for the workmen/Electronics Kamgar Union through VC alludes to the contents of his application No. CO.APPL. 601/2014 and he submits that the Union has lodged claims for the relevant period up to 31.03.2014, which comes to Rs.9,46,55,553/-. It is submitted by the learned counsel for the applicant/Workmen Union that the short fall, if any, has to be filled up in terms of the undertaking given by the Ex-Directors dated 15.03.2005 before the DRT as well as undertaking given on 24.03.2005 before the OL.

7. Incidentally, the Ex-Directors have moved CO.APPL. 1769-1770/2014 through Mr. Rajeev Sarin, Director of the respondent/Company, whereb, they are seeking discharge from any liabilities in the present matter. No one is present on behalf of the Ex-Directors when the matter was called and heard. It would be expedient that the Ex-Directors/management be also heard with regard to the claims of the outstanding dues of the workmen being espoused by the applicant/Union and then an appropriate decision may be taken.

8. Issue notice to Mr. Rajiv Sarin, Director of the applicant/respondent/company (in liquidation) as well as to their counsel for appearance and for hearing and decision on the aforesaid



applications.

9. Learned counsel for the EPFO is also present and submits that in terms of previous directions of this court, he has filed a status report only yesterday. However, the same is not on the digital record in this court. Let the matter be checked with the Registry. However, copies have been received by the learned counsel for the applicant/Workmen Union as also by Mr. D. Bhattacharya.

10. At this stage, as submitted by the learned counsel for the EPFO, the workmen are requested upon to submit their individual claims alongwith the KYC documents with the EPFO so that the claims could be processed in a timely and orderly manner.

11. Re-notify for hearing on 02.04.2024.

DHARMESH SHARMA, J.

JANUARY 11, 2024/sa