



\$~13(Company)

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

+ **CO.PET. 539/1998**

M/S TATA IRON & STEEL CO. LTD.

..... Petitioner

Through:

versus

M/S JHALANI TOOLS INDIA LTD

..... Respondent

Through: Ms Ruchi Singhwani, Senior Advocate
with Ms Megha Barara, Advocate for Official
Liquidator.

Mr Aman Vachher, Mr Ashutosh Dubey, Mr
Abhishek Chauhan, Mr Amit P. Shahi, Advocates
for applicant/respondents Ex-Management.

Mr Hemandra Jailiya, Advocate for Worker in
CA 772/2020.

Mr Anuj Kumar Sharma, Advocate for EPFO
CA 658/2021.

Mr Ramesh Kumar, Mr Abhishek Gusain,
Advocates for applicant in CA 1313/2018.

Mr K. Bhamraj Alhary, Mr Kailash Joshi,
Advocate for applicant in CA 174/2018.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **06.05.2022**

CA No. 1313/2018

1. One of the issues involved in this application is the manner of distribution of the amounts realized by the Official Liquidator.
2. It is contended on behalf of certain secured creditors that for the purposes of Section 529-A of the Companies Act, 1956, all secured creditors are to be treated *pari passu* without distinguishing whether they hold the First Charge or the Second Charge over the properties of the company in liquidation. This is stoutly disputed by the respondents.
3. The learned counsels appearing for the parties are requested to submit



a note along with all authorities they seek to rely on before the next date of hearing.

4. List on 11.05.2022.

CA no. 413/2021

5. None appears for the applicant.

6. The learned counsel appearing for the Official Liquidator states that the amounts in respect of the applicant, have been released.

7. The application is, accordingly, disposed of.

CA 71/2022

8. None appears for the applicant. The application is dismissed.

CA 132/2021 & CA 658/2021

9. The Official Liquidator shall file reply, if not already filed.

10. List on 21.07.2022.

CA 1313/2018, CA 1506/2018,

11. List on 11.05.2022.

CA 174/2018,

12. The learned counsel for the applicants points out that the said application is listed on 12.05.2022.

13. Accordingly, list on the date already fixed, that is, on 12.05.2022.

VIBHU BAKHRU, J

MAY 6, 2022

pkv

[Click here to check corrigendum, if any](#)