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

+ W.P.(C) 6238/2019, CM APPL. 3122/2021, CM APPL. 3123/2021, CM APPL. 10800/2021, CM APPL. 20685/2021, CM APPL. 33895/202, CM APPL. 33896/2021, CM APPL. 34574/2021, CM APPL. 31878/2022 & CM APPL. 10011/2023

MODI SPINNING AND WEAVING MILLS
COMPANY LTD.

..... Petitioner

Through: Mr. M. A. Niyazi, Mr. Arquam Ali,
Advocates.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr. Rakesh Kumar, CGSC with
Mr. Sunil, Mr. Abhishek Khanna and
Mr. Akhilesh, Advocates for UOI.
Mr. Akash Mohan Srivastav,
Advocate for R-2.
Mr. Nilesh Kumar, Ms. Jayashree
Shukla and Mr. Abhijeet Nandi,
Advocates for R-4. and 7.
Mr. K. S. Mahadevan, Mr. Rangrajan.
R., Advocates for R-5 and 6.
Mr. Rajat Wadhwa, Mr. Devanshu
Chauhan and Ms. Driti Bhatia,
Advocates.
for R-10.
Mr. Ramakant Kashyap and
Mr. Ashish Mishra, Advocates for R-
11.
Mr. Varun Sharma, Advocate for R-
14



Mr. Pradeep Misra, Advocate with
Mr. Daleep Dhyani and Mr. Suraj
Singh, Advocates for R- 16.

Mr. Jayant K. Mehta, Sr. Advocate
with Mr. Adhish Sharma, Advocate in
CM APPL. 3122/2021.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

HON'BLE MR. JUSTICE SUDHIR KUMAR JAIN

ORDER

01.03.2023

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The hearing has been conducted through hybrid mode (physical and virtual hearing).

1. There has been non-compliance of the previous orders by the workmen.
2. Mr. Niyazi, the learned counsel for the petitioner has drawn the court's attention the orders passed on 30.08.2022 and 05.12.2022. The workmen have been given sufficient time to furnish documents and file their claims before the petitioner management. It was all along open to them to take the monies which are due to them. They have not done so.
3. The case was passed over to facilitate Mr. Rajat Wadhwa, the learned counsel for respondent no. 10 to obtain instructions. Having done so, he says that, for the moment, 25 workmen are actively pursuing the matter and he was able to receive instructions from one of them, the said workman says that he would like to be paid his dues in terms of the scheme and the moment the dues are paid, he will vacate the premises occupied by him.
4. Let the affidavit of the said workman and others who desire a similar relief, file their respective affidavits and claims before the petitioner



management and a copy be filed before this court.

5. At the said respondent's request, re-notify on 03.03.2023.

NAJMI WAZIRI, J

SUDHIR KUMAR JAIN, J

MARCH 1, 2023/sk/sd