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

+ W.P.(C) 6238/2019

**MODI SPINNING AND WEAVING MILLS
COMPANY LTD.**

..... Petitioner

Through: Mr. M.A. Niyazi, Mr. Nikhil Sighvi,
Mr. Parth Aggarwal, Mr. Milind Raj
Dixit and Mr. Shikhar Kishore,
Advocates.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr. Rakesh Kumar, CGSC with Mr.
Abhishek Khanna, GP and Mr.
Sunil, Advocate for R-1/UOI.
Mr. Akash Mohan, Srivastav,
Advocates for R-2/IDBI.
Ms. Jayshree Shukla Dasgupta and
Mr. Abhijeet Nanoli, Advs. for R-4.
Mr. Nilesh Kumar, Advocate for R-4
& R-7.
Mr. K.S. Mahadevan, Advocate for
R-5 & R-6.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

HON'BLE MR. JUSTICE SUDHIR KUMAR JAIN

ORDER

19.05.2023

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

CM APPL. 26271/2023

1. This application seeks modification of the order dated 26.04.2023 to the extent that some typographical errors have crept in. The applicant desires that the said paragraphs 13 and 14 be modified to read as under:

Para 13:

“Once the monies have been disbursed for implementing



the remaining portion of the Sanctioned Scheme, in terms of the quantified dues, the residual properties, excluding Modi Bhawan, will stand automatically vested to the Respondent Nos. 4 & 5 or their nominee companies in terms of Section 18(6A) of the SICA Act, 1985...”

Para 14:

“The properties falling in the share of respondent Nos. 4 & 5 or their nominee companies are shown on page 208-210 of the writ petition in Table-1 of the Inter-se Agreement dated 24.04.2019...”

2. Furthermore, the learned counsel for the petitioner submits that in the prayer clause of the application paras 5 to 8 should be read as paragraphs 5 to 6.
3. There is no opposition to the relief sought or if the application is allowed. The respondent Nos. 4 and 5, who support the application, say that Rs. 12 crores shall be brought in by them or their nominee companies, in the ratio of 40:60, i.e. 40% by respondent no. 4 and 60% by respondent no. 5, will be paid to the petitioner in terms of Clause 3.1 of the sanctioned scheme. The learned counsel for the parties submit that they will coordinate with each other in this regard.
4. At the oral request of the parties, it is so modified.
5. The application stands disposed-off.

NAJMI WAZIRI, J.

SUDHIR KUMAR JAIN, J.

MAY 19, 2023/rd