

CWP No. 9592 of 2013 (O&M)

1

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No. 9592 of 2013 (O&M)
Date of Decision : 27.04.2016**

JCT Electronics Ltd.

...Petitioner

Versus

The Presiding Officer, Industrial Tribunal, Patiala and another

...Respondents

CWP No. 14576 of 2013 (O&M)

JCT Electronics Ltd.

...Petitioner

Versus

Jarnail Singh and another

...Respondents

CWP No. 14577 of 2013

JCT Electronics Ltd.

...Petitioner

Versus

Malkiat Singh and another

...Respondents

CWP No. 14578 of 2013

JCT Electronics Ltd.

...Petitioner

Versus

Ram Avtar and another

...Respondents

CWP No. 14579 of 2013

JCT Electronics Ltd.

...Petitioner

Versus

CWP No. 9592 of 2013 (O&M)

2

Sushil Kumar Sharma and another ...Respondents

CWP No. 14580

JCT Electronics Ltd. ...Petitioner

Versus

Mohan Singh and another ...Respondent

CWP No. 14581 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Gurcharan Singh and another ...Respondents

CWP No. 14582 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Krishan Kumar and another ...Respondents

CWP No. 14583 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Arun Khosla and another ...Respondents

CWP No. 14584 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Braham Dev and another ...Respondents

CWP No. 14585 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

CWP No. 9592 of 2013 (O&M)

3

Pargat Singh and another ...Respondents

CWP No. 14586 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Lakhmir Singh and another ...Respondents

CWP No. 14587 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Kuldeep Singh and another ...Respondents

CWP No. 14588 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Anil Kumar and another ...Respondents

CWP No. 14589 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

M.K. Alam and another ...Respondents

CWP No. 14590 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Satpal Singh and another ...Respondents

CWP No. 14591 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

CWP No. 9592 of 2013 (O&M)

4

Suresh Bhandari and another ...Respondents

CWP No. 14592 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Mohan Singh and another ...Respondents

CWP No. 14593 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Radhey Shyam and another ...Respondents

CWP No. 14594 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Jagjit Singh and another ...Respondents

CWP No. 14595 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Daljit Singh and another ...Respondents

CWP No. 14596 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Dhanesh Kumar Singh and another ...Respondents

CWP No. 14597 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

CWP No. 9592 of 2013 (O&M)

5

Shakti Chand and another ...Respondents

CWP No. 13851 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Baldev Singh and another ...Respondents

CWP No. 13852 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Sanjeev Kumar and another ...Respondents

CWP No. 13853 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Sarwan Kumar Bhandari and another ...Respondents

CWP No. 13854 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Amarjit Singh and another ...Respondents

CWP No. 13855 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Bhagwan Singh and another ...Respondents

CWP No. 13856 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

CWP No. 9592 of 2013 (O&M)

6

Anjay Kumar Jain and another ...Respondents

CWP No. 13857 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Ram Kumar and another ...Respondents

CWP No. 13858 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Paramjit Singh and another ...Respondents

CWP No. 13859 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Santokh Singh and another ...Respondents

CWP No. 13860 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Jasbir Singh and another ...Respondents

CWP No. 13861 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Harjit Singh and another ...Respondents

CWP No. 13862 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

CWP No. 9592 of 2013 (O&M)

7

Lakhi Ram and another ...Respondents

CWP No. 19479 of 2013

JCT Electronics Ltd. ...Petitioner

Versus

Rakesh Mishra and another ...Respondents

CWP No. 15220 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Sunil Dutt Sharma and another ...Respondents

CWP No. 15221 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Garish Rawat and another ...Respondents

CWP No. 15222 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Mahesh Shah and another ...Respondents

CWP No. 15223 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Harbans Singh and another ...Respondents

CWP No. 15224 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

CWP No. 9592 of 2013 (O&M)

8

Udai Veer Singh and another

... Respondents

CWP No. 15509 of 2014

JCT Electronics Ltd.

...Petitioner

Versus

Rajesh Kumar Yadav and another

... Respondents

CWP No. 15510 of 2014

JCT Electronics Ltd.

...Petitioner

Versus

Phillip George and another

CWP No. 15511 of 2014

JCT Electronics Ltd.

...Petitioner

Versus

A.G. James and another

...Respondents

CWP No. 15512 of 2014

JCT Electronics Ltd.

...Petitioner

Versus

Mohan Singh and another

...Respondents

CWP No. 15513 of 2014

JCT Electronics Ltd.

...Petitioner

Versus

Gurmail Singh and another

...Respondents

CWP No. 15514 of 2014

JCT Electronics Ltd.

...Petitioner

Versus

CWP No. 9592 of 2013 (O&M)

9

Deepak Sharma and another

...Respondents

CWP No. 15515 of 2014

JCT Electronics Ltd.

...Petitioner

Versus

Sukhjit Lal and another

...Respondents

CWP No. 15516 of 2014

JCT Electronics Ltd.

...Petitioner

Versus

Bhupinder Singh and another

...Respondents

CWP No. 15517 of 2014

JCT Electronics Ltd.

...Petitioner

Versus

Mohinder Pall and another

...Respondents

CWP No. 15523 of 2014

JCT Electronics Ltd.

...Petitioner

Versus

Surinder Kumar and another

...Respondents

CWP No. 15524 of 2014

JCT Electronics Ltd.

...Petitioner

Versus

Madan Lal and another

...Respondents

CWP No. 15525 of 2014

JCT Electronics Ltd.

...Petitioner

Versus

CWP No. 9592 of 2013 (O&M)

10

Naresh Kumar and another ...Respondents

CWP No. 15526 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Baljit Singh and another ...Respondents

CWP No. 15527 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Hirdya Narayan and another ...Respondents

CWP No. 15528 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Om Prakash and another ...Respondents

CWP No. 15532 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Parkash Chand and another ...Respondents

CWP No. 15533 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Anil Kumar and another ...Respondents

CWP No. 15534 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

CWP No. 9592 of 2013 (O&M)

11

Basant Singh and another ...Respondents

CWP No. 15535 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Pardeep Kumar and another ...Respondents

CWP No. 16986 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Vinod Kumar Gupta and another ...Respondents

CWP No. 16323 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Kuldeep Kumar and another ...Respondents

CWP No. 16324 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Biney Kumar Jha and another ...Respondents

CWP No. 16325 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Ashish Kumar Santra and another ...Respondents

CWP No. 16326 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

CWP No. 9592 of 2013 (O&M)

12

Nakunja Parshad and another

...Respondents

CWP No. 16327 of 2014

JCT Electronics Ltd.

...Petitioner

Versus

Mohan Singh and another

...Respondents

CWP No. 16328 of 2014

JCT Electronics Ltd.

...Petitioner

Versus

Jatinder Singh and another

...Respondents

CWP No. 16329 of 2014

JCT Electronics Ltd.

...Petitioner

Versus

Gurdev Singh and another

...Respondents

CWP No. 16330 of 2014

JCT Electronics Ltd.

...Petitioner

Versus

Amir Singh Yadav and another

...Respondents

CWP No. 16331 of 2014

JCT Electronics Ltd.

...Petitioner

Versus

Jai Bhushan and another

...Respondents

CWP No. 16332 of 2014

JCT Electronics Ltd.

...Petitioner

Versus

CWP No. 9592 of 2013 (O&M)

13

Umesh Singh and another ...Respondents

CWP No. 16333 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Gurmukh Singh and another ...Respondents

CWP No. 16334 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Jamini Kanth and another ...Respondents

CWP No. 16335 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Harjit Singh and another ...Respondents

CWP No. 16336 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Gurbachan Singh and another ...Respondents

CWP No. 16337 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Ram Saran Parshad and another ...Respondents

CWP No. 16338 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

CWP No. 9592 of 2013 (O&M)

14

Panchanan Pal and another ...Respondents

CWP No. 16339 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

B.N. Mallick and another ...Respondents

CWP No. 16340 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Vijay Kumar and another ...Respondents

CWP No. 16341 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Har Singh Kunjwal and another ...Respondents

CWP No. 16342 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Gurnam Singh and another ...Respondents

CWP No. 16343 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Gajraj Singh and another ...Respondents

CWP No. 16344 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

CWP No. 9592 of 2013 (O&M)

15

Dharam Pal and another ...Respondents

CWP No. 16345 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Varinder Kumar and another ...Respondents

CWP No. 16346 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Lekh Ram and another ...Respondents

CWP No. 16347 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Davinder Kumar and another ...Respondents

CWP No. 16348 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Balbir Singh and another ...Respondents

CWP No. 16349 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Ram Brij Maurya and another ...Respondents

CWP No. 16350 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

CWP No. 9592 of 2013 (O&M)

16

Prafulla Kumar Ray and another ...Respondents

CWP No. 16351 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Hem Raj Kapila and another ...Respondents

CWP No. 16352 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Subhash Chand and another ...Respondents

CWP No. 16353 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Satinder Kumar and another ...Respondents

CWP No. 16354 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

S.L. Santra and another ...Respondents

CWP No. 16355 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Balwant Singh and another ...Respondents

CWP No. 16356 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

CWP No. 9592 of 2013 (O&M)

17

Davinder Pal Singh and another ...Respondents

CWP No. 16357 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Mohinder Singh and another ...Respondents

CWP No. 16358 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Mukesh Chand and another ...Respondents

CWP No. 16359 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Pukhraj Singh and another ...Respondents

CWP No. 16360 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Tarlochan Singh and another ...Respondents

CWP No. 16361 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Baljit Singh and another ...Respondents

CWP No. 16362 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

CWP No. 9592 of 2013 (O&M)

18

Shyam Sunder and another ...Respondents

CWP No. 16363 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Braham Dev and another ...Respondents

CWP No. 16372 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Harish Kumar and another ...Respondents

CWP No. 16482 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Kusum Sharma and another ...Respondents

CWP No. 16497 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Ramesh Kumar Singh and another ...Respondents

CWP No. 16373 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Ram Bahadur and another ...Respondents

CWP No. 16374 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

CWP No. 9592 of 2013 (O&M)

19

Subhash Chand and another ...Respondents

CWP No. 16375 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

R.T. Verma and another ...Respondents

CWP No. 16376 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Govri Parshad and another ...Respondents

CWP No. 16377 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Ramesh Chand and another ...Respondents

CWP No. 16378 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Manbir Singh and another ...Respondents

CWP No. 16382 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

Sharda Devi ...Respondent

CWP No. 16383 of 2014

JCT Electronics Ltd. ...Petitioner

Versus

CWP No. 9592 of 2013 (O&M)

20

Janak Ram and another

...Respondents

CWP No. 16461 of 2014

JCT Electronics Ltd.

...Petitioner

Versus

Laxman Sahu and another

...Respondents

CWP No. 16466 of 2014

JCT Electronics Ltd.

...Petitioner

Versus

Leelamma Joy

...Respondent

CWP No. 16470 of 2014

JCT Electronics Ltd.

...Petitioner

Versus

Shobha Negi

...Respondent

CWP No. 23582 of 2015

Lakhmir Singh

...Petitioner

Versus

M/s JCT Electronics and another

...Respondents

CWP No. 3780 of 2016

Mohinder Singh

...Petitioner

Versus

M/s JCT Electronics and another

...Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

- 1) *Whether Reporters of the local papers may be allowed to see the judgment?*
- 2) *To be referred to the Reporters or not?*

3) *Whether the judgment should be reported in the Digest?*

Present: Mr. Raj Kaushik, Advocate for the petitioner(s).

Ms. Ekta Thakur, Advocate for the petitioner(s) in CWP Nos. 3780 and 23582 of 2016.

Mr. R.C. Setia, Senior Advocate with
Mr. Surinder Singh, Advocate for respondent No. 1
(Workmen) and for respondent No. 2 in
CWP No. 9592 of 2013.

Mr. Saurabh Arora, Advocate for Official Liquidator.

P.B. Bajanthri, J.(Oral)

This order will dispose of writ petitions bearing Nos.
9592, 14576, 14577, 14578, 14579, 14580, 14581, 14582,
14583, 14584, 14585, 14586, 14587, 14588, 14589, 1459,
14591, 14592, 14593, 14594, 14595, 14596, 14597, 13851,
13852, 13853, 13854, 13855, 13856, 13857, 13858, 13859,
13860, 13861, 13862, 19479 of 2013, 15220, 15221, 15222,
15223, 15224, 15509, 15510, 15511, 15512, 15513, 15514,
15515, 15516, 15517, 15523, 15524, 15525, 15526, 15527,
15528, 15532, 15533, 15534, 15535, 16986, 16323, 16324,
16325, 16326, 16327, 16328, 16329, 16330, 16331, 16332,
16333, 16334, 16335, 16336, 16337, 16338, 16339, 163340,
16341, 16342, 16343, 16344, 16345, 16346, 16347, 16348,
16349, 16350, 16351, 16352, 16353, 16354, 16355, 16356,
16357, 16358, 16359, 16360, 16361, 16362, 16363, 16372,
16482, 16497, 16373, 16374, 16375, 16376, 16377, 16378,

16382, 16383, 16461, 16466, 16470 of 2014, 23582 of 2015 and 3780 of 2016, as common questions of law and fact are involved in them which can conveniently be decided by a common order.

During pendency of these petitions, a Co-ordinate Bench of this Court has passed an order in CP No. 217 of 2015 in the matter of M/s JCT Electronics Limited, which reads as follows :-

"A reference has been received from the BIFR recommending winding up the company i.e. M/s JCT Electronics Limited.

Learned counsel for the company submitted that the requisite funds could not be arranged to revive the company, hence, the company has no objection if the same is wound up and Provisional Liquidator is appointed.

Let notice be issued to the creditors and other parties, who appeared before the BIFR for 20.05.2016.

In view of the aforesaid factual matrix, the petition is admitted.

The Official Liquidator attached to this Court is appointed as Provisional Liquidator of the company. He shall take the charge of the assets and records of the company.

Let factum of admission be published in 'The Indian Express' (English), 'Punjabi Tribune' (both Chandigarh Edition) and in the official Gazette of Government of Punjab.

The publication shall be made by the Official

Liquidator out of common pool fund account. The expenses so incurred shall be reimbursed out of the sale proceeds of the assets of the company."

In view of the aforesaid development, the workmen are directed to make necessary claim before the Official Liquidator and who shall be consider the same at the earliest, not beyond one year. If the claims of the workmen cannot be decided within one year, the workmen shall be entitled to interest on the awarded amount @ 10% per annum.

In this bunch of petitions, there are only two petitions, i.e. CWP Nos. 3780 and 23582 of 2016 filed by the workmen, wherein they have claimed interest. Those relief can be claimed by the petitioners before the Company Court by filing necessary petitions. Such claims shall be filed by the workmen within a period of three months from today.

All the petitions are disposed of in the above terms.

April 27, 2016.
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(P.B. BAJANTHRI)
JUDGE