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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CO.APP. 7/2015**

DIML EMPLOYEES WELFARE FORUM (REGD)..... Appellant

Through: Mr. Fidel Sebastian, Advocate

versus

DAEWOO MOTORS INDIA LTD, & ORS. Respondents

Through: Mr. Deepak Prakash, Advocate
alongwith Ms. Shruti Srivastav,
Advocate.

Mr.Kanwal Chaudhary, Advocate for
Official Liquidator (OL) and Mr. P.D.
Tiwari, Asst. Official Liquidator.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

% **22.01.2016**

CM No. 5355/2015

In this application, the brief controversy is whether the learned Single Judge acted correctly in holding in the impugned order dated 19.03.2014, the ad-hoc disbursement to the workers to the extent of 35% of the admitted claims could not be made since the forfeiture of the amounts earmarked by the DRT for this purpose, is, on account of the non-materialisation of the assessment of debt to Asset Reconstruction Company (India) Ltd (ARCIL), an issue in other proceedings.

It is contended by the counsel for the workman that of the forfeited amounts, substantial amounts have been released to other creditors as well revenue authorities and of the ₹ 50 crores left, with interest 35% has been earmarked towards discharge of the workman's admitted claims.

This Court is of the opinion that given the fact that the forfeiture is itself under the cloud and that the amounts are directly in issue in issuing the disputes pending before the Bombay High Court, no direction can be issued at this stage. However, we request the learned Company Judge to monitor the issue so that a fair resolution as far as the workers are concerned is achieved at the earliest.

The appeal is disposed of in the above terms.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

JANUARY 22, 2016

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