



WEB COPY



W.P.No.16777 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2024

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.16777 of 2010

The Management
M/s.Unico Leathers Products (P) Ltd.,
1 Sri Ramapuram Road,
Kilachur Village
Pallikonda, Vellore District,
Rep.by Mr.Krishan Vrind Jain,
Registration No.IBBI/IPA-001/IP-P00284/2017-
2018/10528, E.mail Jainkv@gmail.com,
Mobile No.9417009490, Chandigarh
(Cause title amended vide order dated 10.12.2024
made in W.P.No.16777/2010)

... Petitioner

Vs.

1.The Presiding Officer
Principal Labour Court
Vellore.

2.H.Razia Begum

...Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records and quash the award dated 19.05.2010 passed in ID.No.53 of 2009 by the first respondent, Presiding Offucer, Principal Labour Court, Vellore and thereby render justice.

For Petitioner : Mr.M.Tarun Gupta
for M/s.Gupta and Ravi

ORDER

This Writ Petition is filed by the Management challenging the award of the Principal Labour Court, Vellore, made in I.D.No.53 of 2009, dated 19.05.2010.

2. It was brought to the notice of this Court that pending the Writ Petition, the Management Company is facing Insolvency and Bankruptcy proceedings and a learned Resolution Professional has been appointed in this case by the appropriate forum. In that view of the matter, the name of the Resolution Professional was also included as representing the Management and notice was served on the Resolution Professional.



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3. Mr.Krishan Vrind Jain, the learned Resolution Professional

appeared before this Court virtually. He would submit that the Management will treat the claim as such and without contesting the claim and will take up the claim for settlement in accordance with the waterfall mechanism as provided under the Insolvency and Bankruptcy Code.

4. In that view of the matter, it is ordered that the respondent Workman shall file a claim in Form-D before the Resolution Professional and it is made clear that the appropriate forum namely the ***National Company Law Tribunal, Chandigarh, Bench*** shall also permit the Resolution Professional to take up the claim also in accordance with the priority as contained in Section 53 of the Insolvency and Bankruptcy Code. The Workman shall file the Form-D within a period of three weeks from the receipt of the website uploaded copy of this order and accordingly, his claim shall also be taken up. It is needless to mention that while computing the entire backwages and paying the amount, the amount so far paid by way of 17-B wages can also be deducted from the total amount payable.



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5. With the above observations, this Writ Petition is disposed of.

No costs.

18.12.2024

Neutral Citation : No
dna

To

The Presiding Officer
Principal Labour Court
Vellore.



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D.BHARATHA CHAKRAVARTHY, J.
dna

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