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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 6238/2019, CM APPL. 10800/2021, CM APPL. 20685/2021, CM APPL. 33895/2021, CM APPL. 34574/2021, CM APPL. 45975/2023, CM APPL. 59526/2023 & CM APPL. 5174/2025

MODI SPINNING AND WEAVING MILLS COMPANY
LTD.Petitioner

Through: Mr. Nikhil Singhvi with Mr. Soham Krishan Luthra & Mr. Sanyam Kumar, Advs.
Mr. Mahjabeen, Adv (Court Commissioner).

versus

UNION OF INDIA AND ORS.Respondents

Through: Mr. Rakesh Kumar, SPC with Mr. Sunil, Adv. for UOI.
Ms. Jayashree Shukla Dasgupta, Adv. for R-4.
Mr. R. Rangarajan, Adv. for R-5 & 6.
Mr. Nilesh Kumar, Adv. for R-7.
Mr. Raj Kumar, Mr. Vinod Kaushik and Mr. Farooq Ahmad, Advs. for R-14. (Through VC).
Mr. Pradeep Misra with Mr. Daleep dhyani Adv. for R-16 (through VC).

CORAM:
HON'BLE MR. JUSTICE VIVEK CHAUDHARY
HON'BLE MS. JUSTICE RENU BHATNAGAR



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ORDER
23.03.2026

CM APPL. 43011/2025 (*seeking impleadment*)

1. Learned counsel for the applicant submits that, there is an agreement to sell between the company and the applicant, and the applicant, therefore, is entitled to seek reliefs with regards to the said agreement.
2. The applicant has sufficient remedy for filing an appropriate suit or to opt for any other proceedings as may be permissible in law with regard to his rights under any such agreement to sell.
3. Hence, the present impleadment application is dismissed, with liberty to the applicant to initiate appropriate proceedings as permissible under the law, in accordance with law.

W.P.(C) 6238/2019

4. The present writ petition has been filed under Article 226 of the Constitution of India for issuance of an appropriate writ, mandamus, certiorari, order, or directions to the respondents for the implementation of the remaining portion of the sanctioned scheme of the petitioner, which was sanctioned by Board of Industrial and Financial Reconstruction, New Delhi (BIFR) as SS-04 dated 25.03.2004, as the BIFR is no more available after the Act stands withdrawn.
5. Learned counsel for the petitioner states that the remaining portion of the scheme (SS-04) dated 25.03.2004 stands implemented and only some of the creditors are left from being paid, as they have not yet come, despite due advertisements. He submits that their



amount is also available in the bank account.

6. The Court Commissioner supports the submissions and states that an amount of Rs. 2,38,00,000/- (Rupees Two Crore Thirty-Eight Lakhs Only) is left out after paying the claimants who had claimed their dues. It is further submitted that certain claimants have not claimed their dues. The said amount is kept in a Fixed Deposit (FD) in Account No. 6011000R00002438 in Punjab National Bank, Govindpuri Branch, Modinagar and in petitioner's Current Bank Account No. 2516002100000018 in Auto Sweep in Punjab National Bank, Govindpuri Branch, Modinagar.

7. Learned counsel for the petitioner and the respondent also agree with the submissions made by the Court Commissioner.

8. Learned counsel for the petitioner submits that the above mentioned amount be kept for disbursement at an appropriate stage, as and when such persons approach the Court.

9. In view of the aforesaid admitted facts, it is directed that the petitioner shall deposit the entire fixed deposit amount along with interest and amount in Bank Account No. 2516002100000018, totalling to Rs. 2,38,00,000/- (Rupees Two Crore Thirty-Eight Lakhs Only), before the Registrar General of this Court, who shall keep the same in form of fixed deposit.

10. Liberty is also granted to any of the claimants left, that in case they feel their claims are still pending, to move an appropriate application before this Court, as and when required.

11. With the aforesaid directions, the present writ petition is disposed of in the aforesaid terms.



12. Pending applications, if any, also stand disposed of.

VIVEK CHAUDHARY, J

RENU BHATNAGAR, J

MARCH 23, 2026/yk/ht