

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**COMPANY APPLICATION (LODG.) NO.743 OF 2015
IN
COMPANY PETITION NO.123 OF 2010**

Ramesh ToraskarApplicant

IN THE MATTER BETWEEN :

Kishore Shankar PatilPetitioner

V/s.

The Official Liquidator of M/s.
Yescube Infrastructures Ltd. (In Liqn.)Respondent

Ms. Molina P. Thakur for the applicant.

Ms. Pratibha Ramaswamy, Assistant Official Liquidator present.

**CORAM : K.R.SHRIRAM,J
DATE : 24th FEBRUARY, 2016**

P.C.:-

1 This application is for condonation of delay of about 1643 days in filing the affidavit of claim of the applicant. Have considered the averments made in the affidavit in support. For reasons mentioned therein, the application is allowed and accordingly disposed of in terms of prayer clauses – (a) and (b), which read as under :-

“(a) That this Hon'ble Court be pleased to condone the delay of app. 1643 days in filing the affidavit of claim of applicant.

(b) That this Hon'ble Court be pleased to direct the Official Liquidator to accept the affidavit of claim of the applicant.”

2 The counsel for the applicant states that the applicant is not a secured creditor and due to inadvertence the applicant described himself as secured creditor. The counsel seeks the lapse be condoned.

3 In view thereof, the Official Liquidator to consider the applicant as an unsecured creditor and deal with the claim of the applicant in accordance with law.

4 Notwithstanding the disposal of the application, the applicant to remove all office objections and get the application numbered.

(K.R.SHRIRAM,J)