

Comp.Application Nos.562 and 563 of 2016
in
CP.No.132 of 2008

RAJIV SHAKDHER, J.

1. These are applications moved by two different entities for seeking condonation of delay in preferring their claims before the Official Liquidator.

2. The applicant in CA.No.562 of 2016 is one Ahmed Bros., while the applicant in C.A.No.563 of 2016 is Deen Bros.

2.1. Both the applicants claim to be dealing in textiles, which they supplied to the workers of the company in liquidation, i.e. Sheela Rani Textiles Ltd.,

2.2. The applicant Ahmed Bros., avers that the workers of the aforementioned company-in-liquidation, liquidated coupons in a sum of Rs.1,88,484/- and consequently, purchased textiles for that amount from its shop.

2.3. Similarly, the applicant Deen Brothers, claims that the workers of the company-in-liquidation, liquidated and then purchased textile worth Rs.1,36,266.50 from its shop.

2.4. It is the claim of both the applicants that, these purchases were made in the year 2006, and since then, the company-in-liquidation has not paid the amount against the purchases made by its workers.

2.5. The applicants further claim that they became aware of the liquidation proceedings only recently, and thus, filed their claim in Form No.66 with the Official Liquidator on 30.3.2016.

2.6. It is stated that the Official Liquidator, vide impugned letter, dated 19.4.2016, returned the claim forms with an observation that the last date for filing the claim was 03.02.2015.

2.7. It is in these circumstances, that the applicants have approached for condonation of delay.

3. Issue notice. Mr.Ramaiyah, Official Liquidator, who is present in Court, accepts notice. He says that he does not wish to file a reply.

3.1. I asked Mr.Ramaiyah, Official Liquidator, as to whether the process of adjudication of claims is on.

3.2. Mr.Ramaiyah says that the process is still on.

4. Having regard that the averments made in the affidavit accompanying the captioned applications, the delay of 395 days in each of the said applications is condoned, subject to payment of cost of Rs.500/- by each of the applicants. The said cost will be deposited with the common pool fund maintained by the Official Liquidator.

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5. The official Liquidator will adjudicate the claim, albeit, in accordance with law.

6. The applications are, accordingly, disposed of.

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21.06.2016

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