

Company Application No.328 of 2013
in Company Petition No.216 of 2002

RAJIV SHAKDHER, J.

Company Application No.328 of 2013 is an application filed for seeking condonation of delay in preferring the claim application with the Official Liquidator.

2. It is averred that there is a delay of 1451 days. I am informed by the learned Official Liquidator that the claim application had to be filed by 01.12.2008.

3. The applicant averred that he had deposited certain sums with the company in liquidation between 1996 and 1999. The sums deposited, according to the applicant, were in amount equivalent to Rs.37,938/-.

4. According to the applicant, these amounts had to be repaid by the company in liquidation by 2000, along with interest.

5. Evidently, the amount equivalent to Rs.12,330/- was repaid by the company in liquidation, leaving the balance sum of Rs.34,000/- to be repaid along with interest.

6. The applicant further averred that the claim form under Form 66 was filed with the Official Liquidator in 2012. It is in these circumstances, that the applicant has approached this Court for condoning the delay.

7. The reason for delay, as articulated in the application by the applicant, is that he stayed in his daughter's house for some years and that thereafter, he had also gone on a pilgrimage to Kasi and Haridwar with his wife. It is in these circumstances, it is stated that the delay occurred in the lodgement of the claim with the Official Liquidator.

8. Mr.A.Ramaiya, learned Official Liquidator, informs me that though some claims have been paid, there is money left for further disbursement.

9. Accordingly, having regard to the circumstances adverted to above, the delay of 1451 days is condoned.

10. The Official Liquidator will adjudicate upon the claim, which, I am told, has already been filed, subject to the applicant depositing all original documents including the Fixed Deposit receipt(s).

11. The needful will be done by the applicant within a period of three weeks from today.

12. The application is disposed of in the aforesaid terms.

18.04.2016

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