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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CO.A(SB) 13/2015 & CA 679-681/2015**

STRESSED ASSETS STABILIZATION

FUND (SASF)

..... Appellant

Through: Mr Abhishek Anand, Adv.

versus

OFFICIAL LIQUIDATOR OF M/S KOSHIKA

TELECOM LTD.

..... Respondent

Through: Mr Rajiv Bahl, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

14.01.2016

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1. The captioned appeal has been filed against the order dated 22.08.2014, passed by the OL. In effect, by virtue of the said order, the appellant's claim has been rejected. The reason of rejecting the appellant's claim was the alleged failure on the part of the appellant, to furnish relevant documents. In the impugned order, there is a reference to the communication dated 11.12.2013 and 11.07.2014. The communication dated 11.07.2014, shows that, according to the OL, the appellant had failed to file the complete bank statement and the charge certificate.

2. Learned counsel for the appellant has drawn my attention to the fact that these documents were furnished on 31.07.2014. For this purpose, my attention has been drawn to page 256 of the paper book.

3. In these circumstances, the impugned order is set aside. The

appellant's claim will be considered by the OL. The appellant will also have the liberty to file any other document that it wishes to file to support its claim. In case, the OL requires further documents, the same will also be supplied by the appellant.

4. To put the matter beyond controversy, the complete bank statement and the charge certificate will, once again, be supplied to the OL, by the appellant, within one week from today.

5. The appeal is disposed of in the aforesaid terms. All pending applications are also, accordingly, disposed of.

RAJIV SHAKDHER, J

JANUARY 14, 2016

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