

Nalawade

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY APPLICATION NO. 126 OF 2017
IN
COMPANY PETITION NO. 182 OF 2012

Haresh K. Damech ..Applicant.

In the matter between
City Group Investors Welfare Association ..Petitioner.
vs.

The Official Liquidator and Liquidator of
M/s. City Realcom Ltd. ..Respondent.

Ms. Minal Chandnani i/by J.S.Chandnani for the Applicant.
Ms. Yogini Chauhan, Dy. Official Liquidator present.

CORAM :A.S.GADKARI, J.
DATE : 9th June, 2017

P.C.

1. This is an application for condonation of delay of 1287 days in lodging the claim affidavit/affidavit of proof of debt before the Official Liquidator. The applicant is investor in the company namely M/s. City Realcom Ltd. which has been directed to be wound up by the Orders of this Court.

2. The applicant has filed affidavit in support of the application however, the delay in lodging the claim with the Official Liquidator is not satisfactorily explained. However, in the interest of justice I am inclined to condone the delay subject to the applicant paying costs to the High Court Legal Aid Committee.

3. In view thereof, the delay in lodging the affidavit of proof of debt/claim affidavit with the Official Liquidator is hereby condoned subject to the condition that the applicant shall pay a cost of Rs.3,000/- to the High Court Legal Aid Committee within a period of three weeks from today. The condition to pay the cost shall be condition precedent for condonation of delay.

2. In view of the above, the application is allowed in terms of prayer clause (i).

(A.S.GADKARI, J.)