

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

**COMPANY APPLICATION (L) NO.627 OF 2016
IN
COMPANY PETITION NO.37 OF 2008**

Suresh Ramchandra Patil .. Applicant

In the matter between

Rohidas Shankar Gaikwad .. Petitioner

Vs.

The official liquidator of
M/s.Bagwe Udyog Ltd. .. Respondent

Ms.Molina Thakur for the applicant.

Mr.Mohindhar Aithe, Company Prosecutor for the official liquidator
present.

CORAM : R.D. DHANUKA, J.

DATE : 15th February 2017

P.C. :

. By this application, the applicant seeks condonation of delay
of 6 years and 51 days in filing the affidavit of claim of the applicant.

2. I have heard the learned counsel for the applicant and also
the learned company prosecutor for the official liquidator. I have also
perused the affidavit-in-support of the company application.

3. The process of adjudication of the claim is not fully
complete. Some of the claims are still to be adjudicated upon by the
official liquidator. The applicant has made out a case for condonation of
delay in filing the affidavit of claim. The applicant is one of the ex-

employee of the respondent-company. The explanation justifying the delay in affidavit-in-support of the company application is accepted

4. I therefore pass the following order :-

- (i) Company application is made absolute in terms of prayer clauses (a) and (b).
- (ii) The official liquidator is directed to adjudicate upon the claim of the applicant expeditiously.
- (iii) There shall be no order as to costs.

R.D. DHANUKA, J.