

Appln.(IP)No. 91 of 2017
in
I.P. No. 25 of 2014

Dr.G.JAYACHANDRAN, J.
&
C.V.KARTHIKEYAN, J.

This application had been filed by the Official Assignee seeking a Judgment and Decree against the second respondent, Lakshman Vummidi, First Floor, Aruthra Apartments, No.18, Habibullah Road, T.Nagar, Chennai – 600 017, to pay a sum of Rs.25,00,000/- with interest at 18% p.a., from 23.12.2013 till date of realisation with cost of the recovery proceedings.

2. The Official Assignee had stated the second respondent had received a sum of Rs. 25,00,000/- from the first respondent/insolvent Arjunlal Sunderdas, which was shown as due and outstanding as on 22.02.2013. It was also stated that this amount was reflected in the accounts. There has been no subsequent transaction to prove discharge. The Official Assignee had issued notice dated 03.05.2018 calling upon the second respondent to pay the amount.

3. Notice was directed to the second respondent in this application. Notice had been returned as unserved. There was no representation on behalf of the second respondent and therefore, the second respondent was set ex-parte. Thereafter, the applicant was directed to take evidence.

Dr.G.JAYACHANDRAN, J.

**&
C.V.KARTHIKEYAN, J.**

vsg

4. Accordingly, R.Parameswari (P.W.1) filed proof affidavit on behalf of the Official Assignee reiterating the averments made by the Official Assignee in support of the application and filed Exs. A-1 to A-4. Ex.A-1 was the true copy of the relevant pages from Auditor Ranga Ramanujam's Report dated 01.04.2013; Ex.A-2 is the true copy of Relevant page in Auditor Annamalai Associates' Report; Ex.A-3 is the true copies of Relevant entries in Schedule of Affairs (No.39) dated 24.05.2014; and Ex.A-4 is the true copy of Bank Statement from 01.01.2013 to 01.07.2013.

5. In view of the above evidence, this Application is allowed and the decree is passed accordingly against the second respondent as prayed for.

(Dr.G.J.J.,) (C.V.K.J.,)
26.04.2019

vsg **Note:** Issue order copy on 29.04.2019

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Dr.G. JAYACHANDRAN, J.
&
C.V.KARTHIKEYAN J.

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Appln.No. 106 of 2016
in
I.P. No. 25 of 2014

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