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

+ CO.A(SB) 10/2015 and CA 629/2015, 1189/2016, 313/2017

REGIONAL P.F. COMMISSIONER JABALPUR Appellant
Through Mr.Shivanath Mahanta, Adv.

versus

THE OFFICIAL LIQUIDATOR Respondent
Through Mr. D.Bhattacharya, Adv. for OL

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER
% **21.11.2017**

This appeal is filed under Rule 164/165 of the Companies (Court) Rules 1959 seeking appropriate directions to the OL to release the provident fund dues against the company under liquidation.

The OL by its communication dated 25.04.2014 had noted that it informed the appellant that the OL had already invited claims from secured and unsecured creditors but the appellant had failed to do the needful when such claims were invited. The appellant was advised to approach this court seeking condonation of delay in filing the claim and thereafter file the claim in Form 66 on non-judicial stamp paper along with supporting papers.

Along with the present appeal, the appellant has filed an application being CA 313/2017 where it is prayed that the delay of 2855 days in filing the claim in Form No. 66 before the OL be condoned.

Learned counsel appearing for the OL submits that some funds possibly may be available of the company under liquidation and hence, an opportunity may be given to the appellant to move its claim before the OL. Steps would be taken thereafter based on the fund position.

Accordingly, the delay in filing the claim is condoned. The application being CA 313/2017 stands disposed of.

The appellant may file its claim in the prescribed format i.e. Form 66 within 8 weeks from today along with all supporting documents.

The appeal stands disposed of.

Pending applications, if any, also stand disposed of.

JAYANT NATH, J

NOVEMBER 21, 2017

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