

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY APPLICATION NO. 299 OF 2018
IN
COMPANY PETITION NO. 396 OF 2010**

The Regional Director,
E.S.I. Corporation

.. Applicant

IN THE MATTER BETWEEN :

M/s. Rail Europe
Vs.

.. Petitioner

M/s. Shree Raj Travels & Tours Ltd.
The Official Liquidator,
High Court, Bombay

.. Respondent

Mr. Shailesh S. Pathak for applicant.

Mr. Mahendhar Aithe, company prosecutor for official liquidator present.

**CORAM : K.R.SHRIRAM, J.
DATE : 6TH AUGUST 2018**

P.C.

1 Shri Pathak appearing for applicant tenders an additional affidavit of one Anil R. Taral, Social Security Officer affirmed on 6th August 2018 to explain “administrative” difficulties. According to applicant, the administrative difficulties are : (a) frequent changes of the officials dealing with the matter; (b) applicant after getting approval filed affidavit of proof of debt on 8th July 2016 to which official liquidator wrote a letter on 13th November 2017. Upon receiving a copy of the letter dated 13th November 2017 from the official liquidator informing applicant that they are unable

to receive and entertain the affidavit filed and applicant may approach the Court for condonation of delay, the legal department took almost four months for appointment of advocate and drafting company application.

3 Though I am not at all happy with the explanation offered, looking at applicant's place in the society and purely by way of indulgence, I am allowing the application. Applicant is directed to place the copy of the order along with the two affidavits in support before the Secretary of the concerned department for necessary action, so that the applicant will take prompt action in filing its claims.

4 Application allowed in terms of prayer clause (a).

The official liquidator to consider the application and affidavit of proof of debt and adjudicate the same in accordance with law.

(K.R. SHRIRAM, J.)

**Shraddha
Kamlesh
Talekar**

Digitally signed by
Shraddha Kamlesh
Talekar
Date: 2018.08.08
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