

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

COMPANY APPLICATION No. 471 OF 2018

ORDER :

This Application has been taken out seeking a direction to the Official Liquidator to re-adjudicate the claim of the petitioner in Form No. 66, by setting aside the notice of rejection of proof of debt dated 25.11.2016 issued by the Official Liquidator.

A counter-affidavit is filed by the Official Liquidator, wherein, while opposing the Application, it has been set-out, in detail, the method and manner and the facts, which have been considered in the process of adjudication. It is further stated that as on date, only a sum of Rs.74,318.46 ps. is lying to the credit of the company in liquidation.

Heard learned counsel for the applicant as well as Sri M. Anil Kumar, learned counsel for the Official Liquidator.

In the context of the claim of the applicant for a sum of Rs.5,03,030/- and taking into consideration the available amount lying to the credit of the company in liquidation, directing re-adjudication of the claim would not enure to the benefit of the applicant, in any way. Even assuming the Application were to be allowed, the possibility of the applicant to be paid the amount of claim being bleak, I consider re-adjudication of the claim, in the facts of the present case, that too at the belated stage, is only a futile exercise. In that view of the matter, the prayer of the applicant is rejected.

CHALLA KODANDA RAM, J

12th October, 2018

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