

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

COMPANY APPLICATION (L) NO.281 OF 2019

IN

COMPANY PETITION NO.505 OF 2006

Skill Lotto Solutions Pvt. Ltd.)....Applicant

IN THE MATTER BETWEEN :

Board for Industrial & Financial Reconstruction)....Petitioner

V/s.

Official Liquidator, High Court, Bombay)....Respondent

Mr.Jayesh Dola a/w Mr.Madhur Rai i/by PRS Legal for applicant.
[Mr.Mahendhar Aithe-Company Prosecutor for OL present].

CORAM : K.R.SHRIRAM,J

DATE : 4.9.2019

P.C.:-

1. This is an application for condoning delay of 1910 days in lodging the affidavit of proof of debt with the Official Liquidator.

2. The claim basically is for arrears of rent for the period 12.6.2006 to 12.11.2008. I am not really satisfied with the explanation given in the affidavit in support for not filing the affidavit of proof of debt for such a long time. Nevertheless I would allow the application and leave it to the Official Liquidator to decide whether

the claim is maintainable including on the issue of limitation.

3. Keeping open the rights and contentions, the application is allowed in terms of prayer clause-(a). Official Liquidator to consider the affidavit of proof of debt and dispose the same in accordance with law. It is also open to Official Liquidator to consider the issue of limitation.

4. The applicant to pay sum of Rs.25,000/- as costs to Official Liquidator and this amount shall be paid within two weeks from today. If not paid, the claim of applicant will stand dismissed without further reference to this court or to the Official Liquidator.

5. All to act on authenticated copy of this order.

(K.R.SHRIRAM,J)