

COMP.A. No.180 of 2019
in C.P.No.339 of 1999

P.T.ASHA. J,

The above application has been filed by a third party to the winding up proceedings seeking directions to the first respondent to execute and register the sale deed and other appended documents conveying the Flat No.319, third floor, situated at Alsa "Townsville" Apartment, Door No.38, Arcot Road, Valasaravakkam, Chennai 600 087 admeasuring 845 sq.ft carpet area and 1180 sq.ft duplex apartment along with proportionate undivided share of land.

2. The third party had entered into an agreement with the Company in liquidation for the purchase of the above property and before the sale could go through, the Company had gone into liquidation. The above application had come before this Court on 01.11.2019, wherein, this Court had passed the following order:

" The learned counsel for the applicant submits that the applicant is ready and willing to produce the original documents and receipts for verification by the Official Liquidator so as to establish that the full sale consideration was paid. The learned Counsel for the Ex-Directors, Mr.Zafarullah Khan, submits that the Ex-

Directors have no objection to the registration of sale deeds in favour of the allottees in Block 1, Alsa "Townsville" Apartment at Arcot Road, Valasaravakkam. The said statement and undertaking is recorded. The Ex-Directors are further directed to provide any information or assistance that may be required by the Official Liquidator in connection with the registration of sale deeds in favour of all said allottees. The applicant is directed to produce the original records for inspection and verification by the Official Liquidator on a convenient date within two weeks from the date of receipt of a copy of this order. This should be done in co-ordination with the Official Liquidator. The Deputy Official Liquidator requests that the original letters of administration in favour of the applicant should also be produced along with documents relating to the subject matter property and the applicant is directed to produce the same."

3. Pursuant to the orders of this Court, the third party-applicant along with the counsel, had appeared before the learned Official Liquidator and produced all the original documents which has also been verified by the learned Official Liquidator, as is evident from the report dated 03.12.2019. The learned Official Liquidator would only contend that in the statement of affairs, which was filed by the Ex-Directors, the details of this agreement have not been listed in the statement of affairs.

4. However, considering the fact that the original documents have been produced before the learned Official Liquidator and taking into account the submissions made by Mr.Zafarullahkhan, Advocate for the Ex-Directors, this Court is of the opinion that the third party has entered into an agreement with the Company in Liquidation.

5. In view of the above, the Company Application is allowed. The learned Official Liquidator is directed to execute the necessary sale certificate evidencing the conveyance of the property to the third party, viz., Jaya Jayaraman.

06.12.2019

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