

Comp.A.Nos.249, 250 & 251 of 2019

N.SATHISH KUMAR, J.

These applications have been filed to set aside the adjudication order dated 26.03.2019 and consequently re-adjudicate the claim Nos.997/78/2008, 992/78/2008 and 1000/78/2008.

2. The learned counsel for the petitioners submitted that the pay order issued by the Pension department as well as Provident Fund Organisation has not been properly considered by the Official Liquidator. The learned counsel, therefore prayed to set aside the order dated 26.03.2019.

3. The learned Official Liquidator submitted that necessary proper documentary evidence has not been furnished by the Petitioner and hence, order dated 26.03.2019 has been passed.

4. I am of the view that the order dated 26.03.2019 has to be set aside for the reason that the Pension pay order and authorisation clearly indicates that the petitioners were working. Such being the position, admittedly, all the documents of the company is in the possession of the learned Official Liquidator. The learned Official Liquidator has to adjudicate the issue taking into consideration the documents available with him. Let the petitioner also be present before the Official Liquidator and identify the Serial Numbers and thereafter, the Official Liquidator has to decide the claim and adjudicate the claim and furnish the report within a period of three months from the date of receipt of a copy of this order.

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5. With the above Observations, the order dated 26.03.2019 passed in Claim Nos.997/78/2008, 992/ 78/2008 and 1000/78/2008 are set aside. Accordingly, Company Applications are closed.

16.08.2019

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