

Application (IP) No.162 of 2019
in I.P.No.34 of 2011

PUSHPA SATHYANARAYANA.J

This application is filed by the applicants/Insolvents seeking to condone the delay of 2433 days in filing the petition to set aside the ex-parte order passed in I.P.No.34 of 2011 by an adjudication dated 14.12.2012.

2. It is stated that the debtors were adjudicated as insolvents by order dated 14.12.2012. While settling the issue with all the creditors, the applicants came to know that there are four other insolvency petitions that were adjudicated by the Official Assignee. The insolvent, who is the husband of the first respondent, died on 28.07.2018 due to cancer. The amount kept for settlement, were spent for treatment. Now, it is stated that one of the known persons has expressed his willingness to purchase the property and he is also ready to settle all the dues to the creditors. In the interregnum, the delay is caused, which is neither wilful nor wanton.

3. Heard the learned counsel for the applicants/insolvents and the learned appearing for the respondents.

PUSHPA SATHYANARAYANA.J

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4. Considering the submissions made on either side and being satisfied with the reasons stated in the affidavit filed in support of this application, the delay is condoned and the application is allowed.

21.10.2019

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