

COMP.A.No.104 of 2020

in

CP.No.167 of 2001

M.SUNDAR, J.

Mr.Rohan Rajasekaran, learned counsel on record for applicant is before this Court. Learned Deputy Official Liquidator is before this Court on behalf of respondent i.e., the Official Liquidator attached to this Court.

2. Instant application has been filed with a prayer for condonation of 282 days delay qua setting aside and re-adjudication plea regarding a claim made by applicant, subject to originals being produced, if not already produced.

3. The reasons for delay have been articulated in paragraphs 8 and 10, which read as follows:

'8. I submit that since the claim was of the year 1998, the Applicant had severe difficulty in locating the various documents in support of the claim. That the office of the Applicant was shifted in 2003 and files were misplaced in the said process. Only after a thorough search, the Applicant was able to locate a letter dated 20.02.1999 that was issued by the Company in Liquidation, wherein the debt along with interest payable to the Applicant, was confirmed and acknowledged.

10. I submit that the impugned order dated 29.04.2019 passed by the Official Liquidator was received on 02.05.2019. That only in the month of January, 2020, was the Applicant able to locate the letter of acknowledgement dated 20.02.1999. Hence, a delay of 265 days has occurred in preferring the present Application, for which condonation is sought for from this Hon'ble Court.'

4. Be that as it may, learned Deputy Official Liquidator very fairly submits that there is no serious opposition for allowing this application.

5. In the light of trajectory of hearing, having heard learned counsel for applicant and learned Deputy Official Liquidator and having been satisfied that the prayer in the instant application deserves to be acceded to owing to the facts and circumstances of this case and as there is no opposition to the same, instant application is ordered as prayed for.

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