

Company Application No.137 of 2020
in
Company Application No.56918 of 2020
(Filing Number)
in
CP.No.115 of 2004

M.SUNDAR, J

'Official Liquidator attached to this Court' (hereinafter 'OL' for the sake of brevity) vide communication/order/notice of admission/rejection of proof dated 25.02.2019, rejected a part of applicant's claim. The applicant, saying that it is dissatisfied with this rejection, has presented Company Application No.56918 of 2020 (Filing number) on 02.06.2020 *inter alia* under Rule 164 of 'The Company Court Rules, 1959' (hereinafter 'said Rules' for the sake of brevity).

2. Mr.T.Raghunathan of M/s.T.S.Gopalan & Co (Law Firm) on behalf of applicant drawing the attention of this Company Court to paragraphs 4 to 6 of the affidavit filed in support of captioned application submits that the reasons for delay have been articulated therein and one of the reasons articulated therein is that the handling counsel was ill and also bereaved.

3. Learned Deputy OL, Mr.Bavisetty Sridhar, who is before me on behalf of OL, adverting to a report of OL dated 26.08.2020 submits that the applicant, having accepted a part of claim, cannot now reopen the matter. In the considered view of this Court, this is an argument, which will fall for consideration when the above mentioned application *inter alia* under Rule 164 of Said Rules is taken up post condonation of delay. Therefore, this and other issues are left open.

4. As far as captioned application is concerned, having perused the affidavit filed in support of application, having heard Mr.T.Raghunathan and having been satisfied with the reasons articulated in paragraphs 4 to 6 of affidavit supporting captioned application (alluded to supra), prayer in captioned application i.e., Company Application No.137 of 2020 is acceded to. Delay condoned. There shall be no order as to costs.

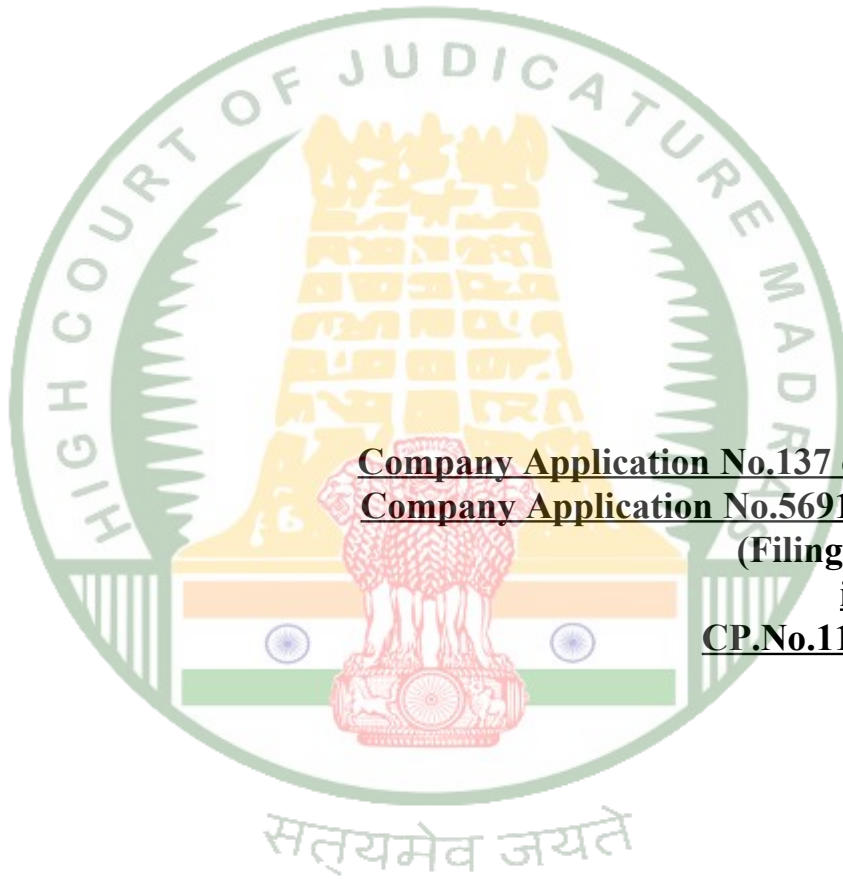
WEB COPY

11.09.2020

kmi

M.SUNDAR, J

kmi



Company Application No.137 of 2020 in
Company Application No.56918 of 2020
(Filing Number)
in
CP.No.115 of 2004

WEB COPY

11.09.2020