

Comp.A.No. 18 of 2021

in

C.P.No. 280 of 2014

C.V.KARTHIKEYAN, J.

This Application has been filed seeking to condone the delay of 713 days in filing Claim Petition by the applicant herein before the Respondent.

2. Heard Mrs.S.Indumathi Ravi, learned counsel for the applicant and Mr.S.Gopalakrishnan, learned counsel for the Official Liquidator.

3. In the affidavit filed in support of the said application, it had been stated that the Respondent Company namely ***Emas Engineers and Contractors Limited*** is under liquidation and the Official Liquidator had taken over the administration of the said Company.

4. This Court by an order dated 26.10.2018 had disposed of C.A. No.445 of 2018. It had been stated that the Official Liquidator had to consider the claims of the Creditors, if any, received.

5. The Court had granted liberty to the applicant to submit the Claim Petition before the Official Liquidator. The applicant had sought to file his claim of the Official Liquidator in Form 66 on 22.10.2020 along with requisite documents and the same had been returned by communication dated 18.11.2020 and the Official Liquidator had informed that the last date for submission of claim was 22.10.2019 and therefore, the Claim Petition filed on 22.10.2020 suffered from delay. The present application has been filed seeking to condone the delay of 713 days.

6. Mr.S.Gopalakrishnan, learned representing counsel for the Official Liquidator submitted that the applicant may be permitted to present the Claim Petition and that the same would be adjudicated on merits as is being done with similar Claim Petition. The fair stand taken by Mr.S.Gopalakrishnan, is deeply appreciated. The delay of 713 days in filing Claim Petition by the Claimant herein is condoned. The Official Liquidator may proceed to receive the Claim Petition and proceed in accordance with law.

7. In the result, the C.A.No.18 of 2021 is disposed of. No costs.

15.02.2021

C.V.KARTHIKEYAN,J.

msm



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