

Sayali Upasani

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**ORDINARY ORIGINAL CIVIL JURISDICTION**  
**INTERIM APPLICATION NO.2290 OF 2020**  
**IN**  
**COMPANY PETITION NO.244 OF 2012**

|                                        |                |
|----------------------------------------|----------------|
| Unit Trust of India                    | ...Applicant   |
| <b>In the matter between</b>           |                |
| Asset Reconstruction Company India Ltd | ...Petitioner  |
| <b>Versus</b>                          |                |
| Sunearth Ceramics Ltd                  | ...Respondents |

Ms. Niyati Merchant i/b MDP & Partners, for the Applicant  
Mr. Mahendhar Aithe, Company Prosecutor, for the Official  
Liquidator.

**CORAM: N. J. JAMADAR, J.**

**DATED : 17<sup>th</sup> August, 2022**

**PC:-**

1. Heard the learned Counsel for the applicant.
2. This application is taken out to condone the delay 1095 days in filing affidavit in proof of debt.
3. Perused the averments in the application. Justifiable reasons are ascribed in paragraph Nos. 6 and 7 of the application for condonation of delay.
4. Hence, the application deserves to be allowed.
5. The application stands allowed.

6. The delay in filing an affidavit in proof of debt stands condoned.

7. The Official Liquidator shall adjudicate the claim of the applicant in accordance with law.

[N. J. JAMADAR, J.]