

Sayali Upasani

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**INTERIM APPLICATION NO.2451 OF 2020
IN
COMPANY PETITION NO.9 OF 2010**

Union Bank of India ...Applicant
In the matter between
Yes Bank Ltd ... Petitioner

Versus

The Official Liquidator, Bombay High Court
Liquidator of M/s Sonal Garment (India) Ltd ...Respondent

Jamshed Ansari, for the Applicant
Mr. M. Aithe for Company Prosecutor, for Official Liquidator.

CORAM: N. J. JAMADAR, J.

DATED : 17th August, 2022

PC:-

1. Heard the learned Counsel for the applicant.
2. This application is preferred for condonation of delay of 2009 days in filing affidavit in proof of claim in respect of the assets of Sonal Garment (India) Ltd (in liquidation).
3. The learned Counsel for the applicant submits that initially the applicant had filed Company Application No.540 of 2016 in Company Petition No.9 of 2010, seeking a direction to the Official Liquidator to release the amount in favour of the applicant.

4. On 21st September, 2017, the said application was withdrawn with liberty to lodge the claim with the Official Liquidator.

5. The learned Counsel submits that thus there was delay in filing the affidavit in proof of claim.

6. I have perused the averments in the application. In paragraph Nos. 5, 7, 17 and 20, the applicant has ascribed reasons for condonation of delay. To advance the cause of substantive justice, it may be expedient to condone the delay.

7. Hence, the following Order.

ORDER

- (i) The application stands allowed in terms of prayer Clause “a”.
- (ii) The Official Liquidator shall adjudicate the claim of the applicant in accordance with law.

[N. J. JAMADAR, J.]