

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO.1630 OF 2019
IN
COMPANY PETITION NO.756 OF 2014**

Mohnish Vinayak Samel	...	Applicant
and		
Export-Import Bank of India	...	Petitioner
versus		
Gol Offshore Limited	...	Respondent

Mr. Kunal Gaikwad for Applicant.
Dr. Sneha Goyal, for Official Liquidator.
Ms. Kajal Malkan i/by Akshar Law in CA 416 of 2018 in CP 756 of 2014.

CORAM: N.J.JAMADAR, J.

DATE: 16th NOVEMBER, 2022

P.C.:

1. Heard the learned Counsel for the Applicant.
2. This Application is taken out to set aside the order of notice of admission of proof dated 29th November, 2019 and to readjudicate the claim of the Applicant.
3. The learned Counsel for the Applicant submits that the claim of the Applicant has been adjudicated without taking into account the documents which were tendered in support of the claim and by laying over emphasis on the statement of affairs filed by the ex-directors.
4. The learned Counsel for the Official Liquidator, on instructions, submits

that the Official Liquidator will readjudicate the claim of the Applicant.

5. Without delving into the issue of the correctness of the adjudication, it would be expedient to set aside the order of notice of admission of proof dated 29th November, 2019 and direct the Official Liquidator to readjudicate the claim of the Applicant. To rule out the possibility of prejudice, the Applicant can be permitted to file additional documents, if any, in support of the claim within a period of one week from today.

6. The Official Liquidator shall readjudicate the claim of the Applicant in accordance with law, taking into account the original affidavit of proof of claim and additional affidavit/documents which may be filed by the Applicant, within a period of four weeks thereafter.

7. The Application stands disposed.

(N.J.JAMADAR, J.)