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Com.A No.104 of 2021

in

CP.No.63 of 2013

KRISHNAN RAMASAMY, J.,

This application has been moved by the Official Liquidator, praying to direct the respondent/debtor firm to pay a sum of Rs.31,000/- along with interest @ 18% per annum from 27.07.2016 till the date of entire settlement.

2. This Court , vide order dated 23.04.2021 ordered notice to the respondent. Despite service of notice and printing the name of the respondent in the Cause list, none appeared on behalf of the respondent. It shows that the respondent is not interested to prosecute the application.

3. It is seen from the Statement of Affairs filed by Ex.Director of the company in liquidation, the respondent has been shown as a debtor and a sum of Rs.31,000/- along with interest @ 18% per annum from 27.07.2016 till the date of entire settlement, was due and payable by



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the respondent.

4. Learned Official Liquidator has moved the present application under Section 446(2) of the Companies Act, 1956, which enables the Liquidator to avail easier and more expeditious remedy in the matter of recovery of monies due and payable by the debtors to the company in liquidation, by resorting to the Court which is concerned with the liquidation. In the present case, despite the notice, the respondent, who is shown as debtor of the company in liquidation, has not turned up to contest the matter.

5. Considering the submissions and report filed by the Official Liquidator, this application is ordered as prayed for.

23.12.2022

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2/2