



Comp.A.No.85 of 2023

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in C.P.No.178 of 2015

WEB COPY

KRISHNAN RAMASAMY, J.

This application is filed to direct the respondent/debtor to pay a sum of Rs.6,78,443.84 towards dues along with subsequent interest at the rate of 18% p.a. from 01.02.2023 to the date of full and final payment and to permit the official liquidator to incur the cost of this application from and out of funds of the company in liquidation.

2. The learned Official Liquidator would submit that M/s.Gemini Industries & Imaging Limited had been wound up by virtue of order of this Court dated 29.01.2016 made in C.P.No.178 of 2015.

3. Further he would submit that the ex-director filed the statement of affairs of the said company. As per the statement of affairs, the respondent is liable to pay a sum of Rs.6,78,443.84 as on 31.01.2023 along with interest. The learned Official Liquidator would submit that he has issued demand notice dated 12.07.2021 to the respondent with regard to the payment. Thereafter, final notice dated 10.10.2022 was also issued. However, though the respondent received the said notices, they have not



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come forward to settle the outstanding dues. Hence, the present application has been filed.

4. After filing of this application, notice was ordered and served to the respondent and the name of the respondent was also printed in the cause list. However, none appeared on behalf of the respondent, which shows that the respondent has no interest to contest this matter.

5. Upon hearing the learned Official Liquidator and perused the statement of affairs and averments made in the report filed by the learned Official Liquidator dated 30.01.2023, this Court is satisfied that the learned Official Liquidator had proved the claim against the respondent and hence, held that the respondent is liable to pay a sum of Rs.6,78,443.84 as claimed by the learned Official Liquidator.

6. Accordingly, this Application is allowed.

21.04.2023

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