



Comp. A. No.353 of 2023 in C.P. No.101 of 1994

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ABDUL QUDDHOSE, J.

This application has been filed to direct the Official Liquidator to adjudicate the claims of the applicant in a time bound manner.

2.The applicant contends that there has been a delay on the part of the Official Liquidator to adjudicate its claim. They seem to have submitted the claim on 21.08.2019 with the respondent claiming a sum of Rs.14,73,16,891/- from the Company under liquidation. Earlier, the claim was rejected by the Official Liquidator and the rejection order was put to challenge by the applicant before this Court. The challenge made by the applicant to the earlier rejection order of the Official Liquidator was set aside by this Court and the matter was once again remanded back to the Official Liquidator for fresh consideration. The applicant submits that despite such a direction being passed by this Court, till date, fresh adjudication has not been done by the Official Liquidator.



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3.The learned Official Liquidator would submit that the applicant has not produced the Debenture Trust Deed pertaining to the agreement between UTI and Hongkong Bank (Agency) Private Limited.

4.However, the learned counsel for the applicant would submit that the said documents have been produced earlier by the applicant to the Official Liquidator and the same is also found as a second document in the typed set of papers, filed by the applicant before this Court.

5.Since the claim has been made by the applicant in the year 2019 itself, an adjudication with regard to the applicant's claim, that too when the claim is a huge one, will have to be adjudicated as expeditiously as possible by the Official Liquidator.

6.Learned counsel for the applicant, on instructions, would submit that the applicant's representative is willing to appear before the Official Liquidator on a fixed date and submit all the documents once again with the Official Liquidator for the effective adjudication of the claim of the applicant.



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7.The Official Liquidator would submit that the applicant's representative shall appear before him, excepting on any Monday or Wednesday, after getting prior appointment in the Official Liquidator's office with all the relevant documents, supporting the applicant's claim to enable him to adjudicate the applicant's claim, on merits and in accordance with law.

8.After recording the rival submissions, this Application is disposed of by directing the applicant to appear before the Official Liquidator on a particular date, after getting prior appointment from the Official Liquidator's office and submit all the relevant documents in support of the applicant's claim before the Official Liquidator on the specified date.

9.On receipt of the documents, the Official Liquidator shall adjudicate the claim, on merits and in accordance with law, within a period of four weeks from the date when the applicant appears before him and submits all the relevant documents.

10.07.2023

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