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COMP. A No.437 of 2022

in

CP No.207 of 2003

KRISHNAN RAMASAMY, J.,

This application has been filed to set aside the order in Form 69 dated 13.05.2019 passed by the respondent in Claim no.525 in C.P.No.207 of 2003.

2. According to the applicant, she was appointed in the year 1965 and posted at the Reeling Section as Machine Operator in the Company in Liquidation and later she resigned from the Company on 05.04.1995. Her resignation letter dated 05.04.1995 was accepted by the employer on the very next day i.e., on 06.04.1995 itself. The applicant was also relieved from the Company in Liquidation on 06.04.2022 itself. The applicant filed a claim petition on 03.08.2016. This Court, by virtue of order dated 23.07.2008, wound up M/s.Sree Uma Parameswari Mills Limited in C.P No.207 of 2003.



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3. Under such circumstances, after expiry of 13 years, the applicant filed a Claim Petition before the Official Liquidator, in Form -66 and the same was rejected by the rejection order in Form -69 of the Official Liquidator dated 13.05.2019.

4. Heard the learned counsel for the applicant as well as the learned Official Liquidator.

5. This Court has perused the reasons stated in the affidavit filed in support of the present application and also the report filed by the learned Official Liquidator.

6. This Court is unable to come to any conclusion with regard to the alleged outstanding dues towards the terminal benefits, which according to the applicant, she is entitled to, since no documents have been furnished to substantiate her claim. In fact, the learned Official



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Liquidator has sent reminder on 4.9.2018 to produce the original documents for adjudication, but the applicant has not produced the same, except resignation letter. It is also pertinent to note that the applicant had resigned on 5.4.1995, while the winding up of the company in liquidation had taken place on 23.07.2008. Hence, this Court is of the view that the learned Official Liquidator has rightly rejected the claim petition of the applicant which requires no interference.

7. In view of the above, this application is dismissed.

06.01.2023

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