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Comp.A.No.122 of 2017
in C.P.No.303 of 2010

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ABDUL QUDDHOSE, J.

The Official Liquidator,
High Court of Madras,
Liquidator of M/s.Rayalaseema
Commodities Limited,
(In Liquidation)

... Applicant

Vs.

M/s.Gofar Factory,
Represented by its Directors,
P.O. Box No.118, Port Sudan,
Sudan.

... Respondent

This application has been filed by the Official Liquidator seeking for recovery of money from the respondent which is claimed to be a debtor to the Company under liquidation.

2. The Company in liquidation is M/s.Rayalaseema Commodities Limited.



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3. It is now represented by the learned Official Liquidator that the respondent/debtor in this application is having office outside India and its present address is not known. He also drew the attention of this Court to the earlier order passed by this Court directing the Official Liquidator to ascertain the address of the debtor from the Ex-Directors of the Company under liquidation. He would submit that in compliance of the said direction, the Official Liquidator's Office had also sent communications to the Ex-Directors of the Company under liquidation and sought for the address of the respondent in this application. However, he would submit that only one Ex-Director replied to the communication of the Official Liquidator and all others, despite having received the communication, failed to respond. Learned Official Liquidator would submit that till date, they are unable to ascertain the correct address of the respondent.

4. This application is kept pending from 2017 onwards. No useful purpose will be served if this application is allowed to be kept



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pending as admittedly, till date, the learned Official Liquidator is unable to ascertain the correct address of the respondent. However, this Court is of the considered view that liberty can be granted to the Official Liquidator to file fresh application seeking for similar relief, in the event of the learned Official Liquidator's Office being able to ascertain the correct address of the respondent/debtor.

5. For the foregoing reasons, this Application is disposed of, by granting liberty to the Official Liquidator, to file fresh application seeking for a similar relief, as and when they are able to ascertain the correct address of the respondent/debtor.

17.07.2023

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