



WEB COPY



Comp.A.No.576 of 2023

Comp.A.No.576 of 2023

in

CP.No.78 of 2008

C.SARAVANAN, J.

The learned Deputy Official Liquidator appears on behalf of the respondent, this application has been filed for condoning the delay of 5546 days in filing the claim statement in Form 66 before the office of the Official Liquidator. The claim statement in Form 66 was filed by the petitioner during the month of September, 2022. In para 7, the applicant has stated as follows:-

“7.I submit that though the trade union file claim petition before the official liquidator on behalf of the erstwhile employees of the mill, my name was not included in the claim petition and no claim was made on my behalf. Since the office bearers of the trade union assured me that they would file claim petition on my behalf also as done for the other office bearers, I was under the bonafide belief that the office bearers of the trade union would get me the due as done for file the claim petition within the prescribed period due to the aforesaid bonafide reason. Therefore, I am filing the claim affidavit with a delay of 5546 days.”

2. It is noticed that the company was ordered to be wound up in the above Company Petition on 24.06.2008. Thereafter, C.A.No.2017 of 2008



Comp.A.No.576 of 2023

was filed, wherein, an order came to be passed on 31.07.2008 fixing the time up to 24.08.2008 for filing the claim statement.

3. Being satisfied with the reasons stated in the affidavit, Court is inclined to allow this application.

4. Already it appears that there are 20 claims that are pending as on date. The Official Liquidator is directed to consider the claim statement of the petitioner as well along with the twenty others.

5. This Company Application stands allowed.

10.11.2023

jas



WEB COPY



Comp.A.No.576 of 2023

C.SARAVANAN, J.
jas

Comp.A.No.576 of 2023
in
CP.No.78 of 2008

10.11.2023