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Comp.A.No.38 of 2024

Comp.A.No.38 of 2024

in

CP.No.186 of 2008

C.SARAVANAN, J.

This application has been filed by the Office of the Official Liquidator to extend the period during which the country was under lock down due to outbreak of covid 19 pandemic. Paragraph 6 of the affidavit filed in support of the above application reads as under:-

“6. In view of the above circumstances the Official Liquidator humbly submits that the period of limitation may kindly be extended with the view to exemption period from 15.03.2020 to 28.02.2022 as ordered by the Hon'ble Supreme Court dated 10.01.2022 in M.P.No.21 of 2022 so as to enable the Official Liquidator to take appropriate steps to find out the whereabouts of the debtor company in order to collect the debt amount in view of interest of creditors of the company. The operative portion of the said order reads as under:-

“The period from 15.03.2020 till 28.02.2022 shall also stand excluded in computing the periods prescribed under Sections 23(4) and 29A of the Arbitration and Conciliation Act, 1996, Section 12 A of the Commercial Courts Act, 2015 and proviso (b) and (c) of Section 138 of the Negotiable Instruments Act, 1881 and any other laws, which prescribe period(s) of limitation for instituting proceedings, outer limits (within which the court or tribunal can condone delay) and termination of proceedings.”



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rgm

3. I see no impediment in allowing this application. Accordingly, the period is extended by one year.

23.02.2024

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