



Comp.A.No.274 of 2010
in
Comp.P.No.344 of 1999

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Krishnan Ramasamy,J.,

This Company Application has been filed seeking for following prayers:-

i) To direct the respondent to pay a sum of Rs.17,308.54 along with an interest @ 18% p.a. from the date of winding up order to till date of entire settlement;

&

ii) To direct that the cost of this application do come out of the funds of the Company in liquidation.

2. Ms.B.Ambili, learned Deputy Official Liquidator has filed a Report *inter alia* stating that ex-director of the Company in liquidation has filed a Statement of Affairs along with List of Borrowers dated 11.04.2003, wherein it is reflected that the respondent herein is liable to pay a sum of Rs.17,308.54; that, based on the same, a demand notice was issued on 19.07.2004, calling upon the respondent herein to pay the said outstanding demand; that the respondent, despite receipt of said notice, did not respond and that, having left with no other option, the present Application is filed seeking appropriate direction, as mentioned in preamble portion of this order.



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3. Before the learned Master, an Official, working as Junior Translation Officer in the Office of the Official Liquidator, viz., Mrs.G.Sreekumari examined herself as P.W.1 and marked two documents as Exs.A1. And A..2.

4. Thus, considering the submissions made by the learned Deputy Official Liquidator and having been satisfied with the report filed by her in support of this Application and on perusal of the evidence of P.W.1, this Court is inclined to allow this Application.

5. Accordingly, this Application is allowed. Consequently, the respondent is directed to pay a sum of Rs.17,308.54 along with an interest @ 18% p.a. from the date of winding up order to till date of entire settlement. So far as the second limb of the prayer is concerned, viz., to direct the cost of this application do come out of the funds of the Company in liquidation, the same is also ordered.

sd

06.06.2024

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