



WEB COPY



Comp.A.No.212 of 2023

Comp.A.No.212 of 2023
in C.P.No.178 of 2015

KRISHNAN RAMASAMY, J.

This application is filed to direct the respondent/debtor to pay a sum of Rs.2,69,93,783.08 towards dues as mentioned in para.5 along with subsequent interest at 18 percentage p.a. from 01.03.2023 to the date of full and final payment and to permit the Official Liquidator to incur the cost of this application from and out of the funds of the Company in provisional liquidation.

2. The learned Official Liquidator would submit that M/s.Gemini Industries & Imaging Limited had been wound up by virtue of order of this Court dated 29.01.2016 made in C.P.No.178 of 2015.

3. Further she would submit that the Ex-Managing Director filed the statement of affairs of the said company. As per the statement of affairs, the respondent is liable to pay a sum of Rs.1,18,57,688/- along with interest at the rate of 18% p.a. The learned Official Liquidator



Comp.A.No.212 of 2023

would submit that she has issued demand notice dated 13.10.2022 to the respondent with regard to the payment. Thereafter, final notice dated 12.12.2022 was also issued. However, though the respondent received the said notices, they have not come forward to settle the outstanding dues. Hence, the present application has been filed.

4. After filing of this application, notice was ordered and served to the respondent and the name of the respondent was also printed in the cause list. However, none appeared on behalf of the respondent, which shows that the respondent has no interest to contest this matter.

5. Upon hearing the learned Official Liquidator and perused the statement of affairs and averments made in the report filed by the learned Official Liquidator dated 15.03.2023, this Court is satisfied that the learned Official Liquidator had proved the claim against the respondent and hence, held that the respondent is liable to pay a sum of Rs.1,18,57,688/- as claimed by the learned Official Liquidator. Hence, this Court is inclined to allow this application.



Comp.A.No.212 of 2023

6. Accordingly, this Application is ordered as prayed for.

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12.07.2024

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