



WEB COPY

Comp.A.No.215 of



Comp.A. No.215 of 2023

in

C.P. No.178 of 2015

K. KUMARESH BABU, J.

The present application has been filed seeking for the following relief:

a) To take this report on record.

b) To direct the respondent/ debtor to pay a sum of Rs.16,91,526.67 towards dues as mentioned in paragraph 5 along with subsequent interest at 18 % p.a. From 01.03.2023 to the date of full and final payment.

c) 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. Heard Ms.B.Ambili, learned Deputy Official Liquidator.

3. The Respondent had been set ex-parte by the order of this Court dated 04.09.2023. The application was directed to be listed before the Master on 12.04.2024. The evidence was recorded by the learned Master on 13.08.2024. Thereafter, the matter was posted before this Court.

4. I have perused the materials available on record and also the deposition and the Exhibits marked through PW1. Exhibit-A1, is a photocopy of the statement of the affairs dated 14.12.2019, Exhibit P2 is the office copy of the



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demand notice dated 18.03.2021, Exhibit A3 is the photocopy of the letter dated 05.01.2023 addressed to the Deputy Official Liquidator from the DIG & District Police Chief, Kozhikode City regarding the whereabouts of the debtor and Exhibit A4 is the photocopy of the tour report dated 31.05.2023, Exhibit A5 is the copy of the paper publication effected in one issue of Malayalam Daily “Janmabhoomi” dated 02.07.2023 and Exhibit A6 is the office copy of the letter dated 17.08.2023. From Exhibits A1 and A2, I am of the view that the applicant has proved the liability to the Respondent. I am inclined to allow the application.

5. In such view of the matter, the application is ordered. The respondent is directed to make the payment for a sum of Rs.16,91,526.67/- together with interest at rate of 18% per annum within a period of eight (8) weeks from the date of receipt of a copy of this order.

23.08.2024

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