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Comp.A.No.171 of 2024
in
C.P.No.255 of 2014

Krishnan Ramasamy, J.,

This Company Application has been filed seeking to recall the order dated 04.04.2024 passed in Comp.A.No.273 of 2018.

2. This Court vide order dated 04.04.2024 in Comp.A.No.273 of 2018 passed an ex-parte order by directing the respondent/debtor Company to pay the outstanding due amount of Rs.13,86,327.00 towards entire settlement along with subsequent interest 18% p.a., till the date of final payment and to permit the Official Liquidator the cost of this application does come out of the funds of the company in provisional liquidation.

3. The learned counsel for the applicant submitted that, in Comp.A.No.273 of 2018 notice has been served on the earlier Registered office and hence, the applicant was not able to appear before this Court and an ex-parte order has been passed on 04.04.2024, which caused much hardship to the applicant. Hence, he prayed for recalling of the order dated 04.04.2024 passed in Comp.A.No.273 of 2018.



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4. Ms.B.Ambili, Deputy Official Liquidator submitted that, the Court may pass an appropriate order.

5. Considering the submission made by the learned counsel for the applicant as well as the Deputy Official Liquidator and having been satisfied with the reasons averred in the affidavit filed in support of this application, this Court is inclined to allow this application as prayed for.

6. Accordingly, Comp.A.No.171 of 2024 is allowed and the order dated 04.04.2024 passed in Comp.A.No.273 of 2018 is recalled.

List the Comp.A.No.273 of 2018 on 21.06.2024

14.06.2024

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