



Comp.A.No.474 of 2023

Comp.A.No.474 of 2023 in
C.P.No.339 of 1999

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C.SARAVANAN, J.

This application has been filed by the applicant who had entered into a sale agreement with the company under liquidation on 06.03.1995 for purchase of 1180 sq.ft to built up area of Flat No.319, Third Floor situated at Alsa “Townsville” Apartment, Door No.38, Arcot Road, Valasaravakkam, Chennai – 600 087.

2. The applicant submits that the company was ordered to be wound up on 25.09.2000 without executing a sale deed in favour of the applicant of the undivided share in the land on which the aforesaid apartment “Alsa Townsville” was built in respect of which the applicant had signed an agreement dated 06.03.1995 with the company under liquidation.

3. The learned counsel for the applicant submits that none of the agreement signed by the company under liquidation is set out the UDS. However, Director of the company under liquidation have given details of UDS in propriation with the built up area of the flats which was to be purchased by the prospect buyer.



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4. The learned counsel for the applicant has also drawn the attention to the order passed by this Court, under similar circumstances, in the case of Ms.Anita Anna Maria Jimmy Varghese_M.Vidyavathy (Assignee) in C.A.No.107 of 2019 vide order dated 12.07.2019. Said Ms.Anita Anna Maria Jimmy Varghese_M.Vidyavathy (Assignee) had also booked 1180 sq.ft flat. The UDS in proportion of 1180 sq.ft flat has been arrived as 644.93 sq.ft as per the following formula.

$$\begin{array}{r} 1180 \times 0.1076 = 126.97 \\ 126.97 \times 50794 \\ \hline 10000 \end{array} = 644.93 \text{ sq.ft.}$$

5. Considering the above, this application is allowed by directing the Official Liquidator to execute a sale deed in favour of the applicant in respect of Flat No.319 of an area of 1180 Sq.ft in the Third and Mezzanine Floors of “Alsa Townsville” No.170, Arcot Road, Valasarawalkam, Chennai – 600 087, together with $126.97/10000^{\text{th}}$ undivided share in the land of an extent of 1 acre 16.5 cents (50794 Sq.ft) i.e. 644.93 Sq.ft.

6. This Company Application stands allowed with the above observations.



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