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A.(IP)No.373 of 2024
in
I.P.No.25 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:08.01.2025

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

Application(IP)No.373 of 2024
in
I.P.No.25 of 2014

N.Kavitha,
Wife of V.Ananda Kumar,
Flat No.B-703, Shreeji Vraj Bhoomi,
Phase-8, Brahmand,
Thane(W), Mumbai 517 001.

.. Applicant/Claimant

/versus/

1.The Official Assignee,
High Court, Madras.

..1st Respondent

2. Arjunlal Sunderdas (died)
23, Anderson Road,
Nungambakkam,
Chennai 600 006.

.. 2nd Respondent/1st
Respondent/Insolvent



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Prayer Application has been filed under Order II, Rule 1 of Insolvency Rules read with Section 86 of the Presidency Towns Insolvency Act praying to set aside the exparte order dated 16.04.2024 passed in Claim No.407 of 2014 in I.P.No.25 of 2014.

For Applicant :Mr.S.R.Raghunathan
for Mr.V.Anil Kumar

For R1 :MrK.V.Ananthakrushnan
for the Official Assignee

ORDER

On 16.04.2024, Claim No.407 of 2014 preferred by the applicant herein dismissed for non-prosecution. Application No.373 of 2024 is filed to set aside the exparte order and to restore the claim for adjudication on merits. As per the affidavit, the applicant was unable to contact her counsel to give proper instructions and take appropriate steps. Notice was not issued by him, since she has shifted the residence.

2. In view of the reasons stated, this application is allowed and



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the order passed dismissing the Claim No.407 of 2014 dated 16.04.2024 is
set aside and the claim is restored for adjudication.

(Dr.G.J.J.) (C.V.K.J.)
08.01.2025

Dr.G.JAYACHANDRAN,J.
and
C.V.KARTHIKEYAN,J.

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