



WEB COPY



A.(IP)Nos.63 and 64 of 2024

for a sum of Rs.2,22,000/- was admitted by the Official Assignee for a sum of Rs.5,750/- by order dated 13.09.2021. The insolvent had remitted the above said admitted amount of Rs.5,750/- to the office of the Official Assignee vide Receipt No.14057 on 06.09.2021. He also remitted a sum of Rs.403/- being 7% Government Commission for liability amount of Rs.5,750/- vide Receipt No.14215 dated 07.01.2022. When the claim enquiry notice to the claimant Thiru.Viswanathan was to be served by a staff of the Official Assignee the door was found locked and it came to light that the house was sold and the claimant was not residing therein. Therefore, the notice was returned unserved. Hence, the above said admitted amount of Rs.5,750/- could not be disbursed to the claimant Thiru.Viswanathan as his whereabouts are not known.

12.It is submitted that apart from the aforesaid two claims, no other claim has been received in this estate.

13.In the above circumstances, a total sum of Rs.10,820/- is available in this estate, out of which a sum of Rs.5,750/- may be reserved for paying the admitted claim amount to the claimant G.Viswanathan and the sum of Rs.5,070/- may be reserved for future expenses.”

3. In view of the above, I am inclined to allow these applications.

Accordingly, the exparte order dated 17.08.2016, annulling the order of adjudication based on the report of the Official Assignee for the default of the Applicant.



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4. Consequently, these applications stand allowed. In view of the

above, I.P.No.55 of 2023 is restored to file of this Court.

22.03.2024

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C.SARAVANAN, J.



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in
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