

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION

INTERIM APPLICATION [L] NO. 35594 OF 2024
IN
COMPANY PETITION NO. 657 OF 2016

Mohinder Singh Dua and Another. ...Applicants.

In the matter between :

Kishinchand R. Ludhani.. ...Petitioner.

Versus

The Official Liquidator and Liquidator
of Kamla Landmarc. ...Respondent.

*S. C. Naidu, Manoj Gujar, T. R. yadav and Pradeep Kumar for the Applicants.
Dhaval Poriya and Heena Thalesan i/b Vimaldalal & Co., for the the Petitioner.
Mr. Mutahhar Khan for Official Liquidator.*

Coram : Sharmila U. Deshmukh, J.

Date : June 16, 2025.

P. C. :

1. Interim Application seeks condonation of delay of 673 days caused in filing the affidavit of proof of debt by the Applicants and direction to the Official Liquidator to accept the same.
2. Mr. Naidu, learned Counsel appearing for the Applicants submits that Respondent-Company is judgment debtor under the award of 6th March 2019 which has been put into execution by the Applicants. He submits that instead of filing affidavit of proof of debt, Interim Application was taken in the present proceedings and therefore there

is delay of 673 days

3. Learned Counsel appearing for the Official Liquidator does not dispute the position that instead of filing affidavit of proof of debt with Official Liquidator, the Applicants has been pursuing Interim Application in the company Petition.

4. As there is sufficient explanation for the delay, delay of 673 days stands condoned. Official Liquidator is directed to accept the affidavit of proof of debt and adjudicate the same as expeditiously as possible. Interim Application stands disposed of.

[Sharmila U. Deshmukh, J.]

*[This is **Corrected Order** in terms of speaking to minutes order dtd 23-6-2025]*