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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CO.APP. 2/2025 & CM APPL. 8898/2025 (Delay 292 days in re-filing)**

RAM KUMAR GUPTAAppellant
Through: Mr. Uddhav Pratap, Mr. Y.R. Sharma and Mr. Vijay K. Kaushal, Advs.

versus

OFFICIAL LIQUIDATOR & ORS.Respondents
Through: Ms. Megha Bharara, Adv. for Ms. Ruchi Sindhwani, SSC for Official Liquidator.

CORAM:
HON'BLE MR. JUSTICE YASHWANT VARMA
HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR

% **ORDER**
07.03.2025

CM APPL. 8897/2025 (Ex.)

Allowed, subject to all just exceptions.

The application stands disposed of.

CO.APP. 2/2025

1. The appellant seeks to impugn the order of the learned Company Judge dated 08 February 2024 pursuant to which its Company Application 746/2017 has come to be disposed of.
2. Although learned counsel for the appellant has vehemently urged that in light of its asserted pre-existing interest in the subject property the auction which is proposed should be deferred and the learned Company Judge has clearly erred in rejecting the application moved, we are informed by Ms. Sindhwani, learned counsel



representing the Official Liquidator, that no auction is presently fixed or contemplated.

3. In any case, Ms. Sindhwani points out that the appellant had in fact submitted a monetary claim which has been accepted in part by the Official Liquidator. It was her submission further that in case the appellant is aggrieved by the rejection of a part of the claim as was submitted, it would still be open to it to produce the relevant documentation for the consideration of the Official Liquidator.

4. It is in the aforesaid backdrop that the learned Single Judge appears to have observed that it would be open for the appellant to pursue the matter with the Official Liquidator, and if it be aggrieved by any decision taken, to institute an appeal as contemplated under Rule 164 of the Companies (Court) Rules, 1959.

5. Bearing in mind the aforesaid, we find no merit in the appeal. It shall stand dismissed.

YASHWANT VARMA, J.

HARISH VAIDYANATHAN SHANKAR, J

MARCH 7, 2025/akc