

(2005) 03 RAJ CK 0077
In the Rajasthan High Court

Babu Lal	Vs	APPELLANT
Official Liquidator		RESPONDENT

Date of Decision : 11-03-2005

Acts Referred:

Citation : (2008) 84 SCL 73

Hon'ble Judges : S.K. Keshote, J

Bench : Single Bench

Final Decision : Allowed

Judgement

S.K. Keshote, J.—Heard learned Counsel for the parties on admission of the application.

2. Admit. Shri B.K. Sharma waives the service of notice on behalf of the respondent.

3. Looking to the nature of the case and with the consent of the learned Counsel for the parties, the application is taken up for final hearing.

4. Heard learned Counsel for the parties and perused the entire application.

5. The claims were invited by the Official Liquidator from the creditors of M/s. Saraf Synthetics (Rajasthan) Limited (in liquidation), but the applicant could not submit his claim in time.

The claim pertains to his service benefits dues and the same was not entertained as not filed in time, thus, this application under rule 177 of the Companies (Court) Rules, 1959.

6. The last date for submission of the claim was 31-1-2005; the applicant submitted the claim on 24-2-2005, i.e., after 24 days. The applicant has satisfactorily explained this delay of 24 days and thus the same deserves to be condoned.

7. In the result, the application succeeds and the same is allowed. The delay

aforesaid in filing of the claim by applicant is condoned. The Official Liquidator is directed to entertain the claim and make the adjudication thereof in accordance with law.

8. The application accordingly stands disposed of.