NC: 2024:KHC:47446
CA No. 68 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF NOVEMBER, 2024

BEFORE

THE HON'BLE MR JUSTICE ASHOK S.KINAGI

COMPANY APPLICATION NO. 68 OF 2023

IN

COMPANY PETITION No.60 OF 2004

BETWEEN:

NAGARAJU D
S/O DASAIAH
AGED ABOUT 47 YEARS,
RESIDING AT NO.135,
DR. B.R. AMBEDKAR STREET,
JAYAPURA HOBLI, DODDAKANYA,
MYSURU-571302.

...APPLICANT

(BY SMT. SHOBHA H K., ADVOCATE)

AND:

THE OFFICIAL LIQUIDATOR OF
M/S BEE JAY PEE SACKS PVT. LTD.,
(IN LIQUIDATION),
HON'BLE HIGH COURT OF KARNATAKA
12TH FLOOR, RAHEJA TOWER,
MAHATHMA GANDHI ROAD,
BENGALURU - 560 001

...RESPONDENT

(BY SRI. JAGADEESHGOUD PATIL, ADVOCATE)

Digitally signed by B VEENA KUMARI
Location: HIGH COURT OF KARNATAKA

THIS COMPANY APPLICATION IS FILED UNDER RULE 177 OF THE COMPANIES (COURT) RULES, 1959, R/W SECTION 5 OF THE LIMITATION ACT, PRAYING TO CONDONE THE DELAY OF 8 YEARS IN PREFERRING THE CLAIM FORM No.66 AFFIDAVIT BEFORE THE OFFICIAL LIQUIDATOR AND DIRECT THE OFFICIAL LIQUIDATOR TO ADJUDICATE THE CLAIM MADE BY THE APPLICANT; AND ETC.

THIS APPLICATION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE ASHOK S.KINAGI

ORAL ORDER

Learned counsel Sri. Jagadeeshgoud Patil accepts notice for Official Liquidator.

2. Learned counsel for the Official Liquidator submits that Official Liquidator had paid the amount to the applicant. Hence, in view of the payment made by the Official Liquidator, nothing survives for consideration in this application and submits that application be dismissed as having become infructuous.

3. Learned counsel appearing for the applicant does not dispute the same.

4. In view of the payment made by the Official Liquidator, nothing survives for consideration.

Accordingly, application is dismissed for having become infructuous.

Sd/-
(ASHOK S.KINAGI)
JUDGE

BVK