

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
IN INSOLVENCY
NOTICE OF MOTION NO.55 OF 2014
IN
INSOLVENCY PETITION NO.11 OF 2014

Re :
Mr.Mukesh Kumar Sonthalia s/o
Prakash Chandra Sonthalia ...Applicant/Insolvent

ExParte :

Smt.Sunita Agrawal w/o
Rajesh Kumar Agrawal ... Petitioning Creditor

Ms.Kavita Gandhi for Petitioning Creditor.

Mr.Santosh Saroj i/b Mr.Ashok M.Saraogi for Insolvent.

Mr. M.D.Narvekar, Official Assignee, present.

CORAM: S.J. KATHAWALLA, J.

DATE: 26TH DECEMBER, 2014

P.C.:

1. The above Notice of Motion is taken out on behalf of
Applicant/ Insolvent interalia for the following reliefs :

“(a) that the order of adjudication passed against Mukesh
Kumar Sonthalia s/o Prakash Chandra Sonthalia by the
Hon'ble Insolvency Court on 5th August 2014 be annulled

under Section 21(1) of the Presidency Town Insolvency Act, 1909, on the ground of full payment.

(b) that the Private Examination and the Public examination of the Insolvent be ordered to be dispensed with by this Hon'ble Court”.

2) The Official Assignee informs the Court that the Insolvent has satisfied the claim of the Petitioning Creditor and deposited the Commission payable to the office of the Official Assignee, lodged undertaking cum Indemnity Bond and the schedule of assets and liabilities, which are taken on record.

3) In view thereof, the Notice of Motion is allowed in terms prayer clauses (a) and (b), reproduced above.

4) The Notice of Motion is accordingly disposed off.

(S.J.KATHAWALLA, J.)