

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
IN INSOLVENCY  
RULE NISI NO.36 OF 2014  
IN  
INSOLVENCY PETITION NO.153 OF 2004**

Re :

Poornima Acharya

... Insolvent

Ex-parte

State Bank of India

... Petitioning Creditor

Ms. Jayashri Surati i/by M/s. S. Ashwinikumar and Co., for Petitioning Creditor.

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

**CORAM: S.J. KATHAWALLA, J.**

**DATE: 7<sup>th</sup> APRIL, 2015**

**PC.:**

1. The present Rule Nisi is taken out by the Official Assignee since the Insolvent has remained absent for some of the meetings before the Official Assignee for private examination of the Insolvent touching upon the estate and affairs of the Insolvent and the Insolvent has also failed to comply with the requisitions raised by the Office of the Official Assignee.

2. On 3<sup>rd</sup> March, 2015, liberty was granted to the Official Assignee to serve the Rule Nisi upon the Insolvent by way of substituted service i.e. by publishing it in two local newspapers viz. Free Press Journal ( English) and Navshakti ( Marathi).

3. Ms. Surati, Advocate for the Petitioning Creditor states that the Notice has been published in the newspapers and accordingly she is filing an Affidavit dated 30<sup>th</sup> March 2015 proving substituted service. The Insolvent has failed to appear despite service through publication in newspapers.

4. The Insolvent having failed and neglected to attend before the Official Assignee for her private examination touching upon her estate and affairs and also having failed and neglected to comply with the requisitions, the Rule Nisi is made absolute.

5. The Petitioning Creditor to deposit Rs.2000/- towards diet charges.

( S.J.KATHAWALLA, J. )