

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
IN INSOLVENCY**

**NOTICE OF MOTION NO. 44 OF 2016
IN
INSOLVENCY NOTICE NO. 19 OF 2016**

Pramod Kishanlal Jain

...Judgment Debtor

Ex-parte :

Pure Gold (India) Pvt.Ltd.

...Judgment Creditor

Mr.Ramesh C. Jain for Petitioning Creditor.

Mr.Vishal Chavan I/b. Lakshmi Murali & Associates for Judgment Debtor.

CORAM : S.C. GUPTE, J.

6 DECEMBER 2016

P.C. :

Learned Counsel for the Judgment Debtor tenders an order passed by the City Civil Court at Bombay on 12 November 2016. By this order, the City Civil Court has set aside the exparte judgment and decree passed on 11 August 2015, based on which the present insolvency notice is issued. Since the exparte decree is set aside, the insolvency notice would not survive and the same ought to be set aside. The notice of motion is accordingly allowed by setting aside the Insolvency Notice No.19/2016.

(S.C. Gupta, J.)