

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

CIVIL REVISION PETITION No. 4863 of 2016

ORDER:

1) Aggrieved by the docket order dated 04.08.2016 passed in IP SR No.5699 of 2016 on the file of the Additional Senior Civil Judge, Chittoor, the present Civil Revision Petition is filed.

2) As seen from the record, the petitioner herein filed I.P. to declare him as insolvent. The said I.P. was returned by the Registry with the following objections.

- I. C.F. Paid Rs. 10/- is not affixed on this I.P. Petition.
- II. State how IP is within limitation as the dates of promotes are not mentioned and the date of issuance of cheque are mentioned and some of the promotes are also barred by limitation and when there is no suit was filed by the respondents against the petitioner shall be explained.
- III. Cheque numbers and dates and names of the bankers have to be mentioned.

3) The said I.P. was resubmitted stating the question of pecuniary jurisdiction in insolvency petitions does not arise and that no such restriction is placed in Insolvency Act limiting filing to the pecuniary jurisdiction and also stated that if the registry is not satisfied the same may be placed before the Bench. On 04.08.2016 the said I.P. again returned with the same objections.

4) Having regard to the facts and circumstances of the case, the Additional Senior Civil Judge, Chittoor, shall pass order on merits after hearing the petitioner. Accordingly, the Civil Revision Petition is disposed of with the above direction. There shall be no order as to costs.

5) Miscellaneous Petitions, if any, pending in this Civil Revision Petition, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

30.09.2016

Note: The Registry is directed
to return the originals.

B/o
gkv

