

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**IN INSOLVENCY****INSOLVENCY RULE NISI NO. 7 OF 2016****IN****INSOLVENCY PETITION NO. 23 OF 2014****Re : Navin Jha****..... Insolvent****Ex-parte :-****Value C Consulting Services Pvt. Ltd.****through Mr.Neelesh Prabhu****..... Petitioning Creditor****AND****Official Assignee of Bombay High Court****..... Petitioner**

Mr.Rajdeep Lahiri, a/w. Mr.Vidyadhar Shinde, i/b. Singhania Legal Services for the Petitioning Creditor.

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

CORAM : R.D. DHANUKA, J.**DATE : 7th MARCH, 2017****P.C.**

Pursuant to the order dated 7th February,2017 passed by this court, the petitioning creditor has served the insolvent by publication of the notice in the newspapers 'Navshakti' in Marathi and 'Free Press Journal' in English and has filed affidavit of service dated 4th March,2017. None appeared for the insolvent when the matter was called out.

2. I have heard the learned counsel for the petitioning creditor and the learned Official Assignee and have perused the Rule Nisi filed by the learned Official Assignee. I am satisfied that the insolvent has remained absent inspite of various intimations given by the learned Official Assignee and has failed and neglected to attend the office for private examination and is not co-operating with the learned

Official Assignee for private examination. Rule Nisi is accordingly made absolute in terms of prayer clauses (a) and (b).

3. At this stage, the learned Official Assignee invited my attention to the letter dated 2nd March, 2017 addressed by the learned Official Assignee to the Officer-in-Charge, Cyber Cell, Mumbai Police, Bandra Kurla Complex, Opp. ICICI Bank, Bandra East, Mumbai 51 and reminder letter to the Officer-in-Charge of Cyber Cell to furnish the details of IP address etc. whereby the insolvent is having access to his e-mail Ids as navinjha792@ymail.com and navjha1@gmail.com. It appears that inspite of the reminder sent by the learned Official Assignee, the Officer-in-Charge of Cyber Cell, Mumbai has not furnished the requisite details to the learned Official Assignee which are required for the purpose of proceeding further with the insolvency proceedings filed against the insolvent. The Officer-in-Charge, Cyber Cell, Mumbai Office is accordingly directed to look into the letters addressed by the learned Official Assignee in this regard personally and shall provide the requisite details within two weeks from the date of communication of this order.

4. The Officer-in-Charge to act on the authenticated copy of this order.

5. The learned Official Assignee has also invited my attention to the letter dated 2nd March, 2017 addressed to the Fullerton India Credit Company Limited placing on record that several transactions were carried out by and between the said company and the insolvent which are reflected in the statement of accounts of the insolvent with HDFC bank. By the said letter, the learned Official Assignee has requested the said company to furnish the details of the transaction between the said company and the insolvent through the bank account of the HDFC Bank and other details such as residential address, e-mail ID and the present

whereabouts of the insolvent to enable the learned Official Assignee to investigate and to submit the report before this court. It appears that inspite of the said letter, the said company has not provided any details to the learned Official Assignee. Fullerton India Credit Company Limited is accordingly directed to furnish the details of the transactions of the said company held with the insolvent which were reflected in the bank account bearing no. 0159100011393 with the HDFC Bank, Andheri West Branch, Lokhandwala, G-1, Woodrose, Swami Samarth Nagar, Lokhandwala Complex, Andheri (West), Mumbai 400 053.

6. The said company shall also disclose the other details of the insolvent such as his residential address, e-mail ID and also the present whereabouts of the said insolvent if any, with the said company to the learned Official Assignee within two weeks from the date of communication of this order. The authorities as well as the Fullerton India Credit Company Limited to act on the authenticated copy of this order.

7. The petitioning creditor is directed to deposit of a sum of Rs.2,000/- towards diet charges to the learned Official Assignee within two weeks from today. Place the matter on board for directions on **4th April, 2017**.

(R.D.DHANUKA, J.)