

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

INSOLVENCY PETITION NO.7 OF 2018

Naresh Gopaldas Valecha & Anr.Petitioning Creditors

V/s.

Motilal M. ShahJudgment Debtor

Mr. Pratap B. Kapadia for petitioning creditors.

Mr. Naresh G. Valecha, petitioning creditor no.1 present in person.

CORAM : K.R.SHRIRAM, J.

DATE : 17th APRIL, 2018

P.C.:

1 On 6th March, 2018 an advocate instructed by M/s. MKV Juris had appeared for judgment debtor and gave an undertaking to file Vakalatnama within one week and also file affidavit in reply and serve a copy thereof upon the advocate for petitioning creditor on or before 15th March, 2018.

2 From the records and proceedings and from the cause list, it appears that no Vakalatnama has been filed by M/s. MKV Juris or any one else in this matter for judgment debtor. Records also do not indicate any affidavit in reply being filed by judgment debtor. Mr. Kapadia, counsel for petitioning creditor states that no reply has been served upon him. Therefore, the averments in the petition are not controverted.

3 In the circumstances, petition is allowed in terms of prayer clause – (a) together with cost in the sum of Rs.25,000/-. Prayer clause -(a)

reads as under :

“(a) An order of adjudication may be passed by this Hon'ble Court against judgment debtor.”

4 Petition accordingly stands disposed.

(K.R. SHRIRAM, J.)