

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

INSOLVENCY PETITION NO.13 OF 2017

Re.: Subhash Agarwal and Ors.Debtors

Ex-parte :

Manipal Sowbhagya Nidhi LimitedPetitioning creditor

Mr. Ramesh C. Jain for petitioning creditor.
None for debtors.

**CORAM : K.R.SHRIRAM, J.
DATE : 21st AUGUST 2018**

P.C.:

1 Service affidavit to be filed by the Managing Director has not been filed. One H. Mohandas has filed an affidavit saying he is the Director. Mr. Jain, counsel for petitioning creditor states that the company has no Managing Director.

2 It has to be noted that for the past more than one year, service has not been effected. In the affidavit of Mr. Mohandas, it is simply stated that he had personally gone on three occasions to serve debtor no.1 and on three occasions to serve debtor no.3 and both debtor no.1 and debtor no.3 were not present. There is nothing stated as to who else was present, what enquiries said Mohandas made etc. It has to be also noted that petitioning creditor is not serious in prosecuting this insolvency petition.

3 Petition dismissed for want of prosecution.

(K.R. SHRIRAM, J.)

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