

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

IN INSOLVENCY

NOTICE OF MOTION NO.59 OF 2017

in

IN INSOLVENCY PETITION NO.142 OF 2004

Ms.Mumtaz Hoosein .. Applicant (Well-wisher)

IN THE MATTER BETWEEN

Prem Kapoor .. Insolvent
and

Khushal H.Kakad & ors .. Respondents

Mr.Kishor Jain with Mr.Devang H.Shah for Applicant
Mr.M.D.Narvekar Official Assignee present

**CORAM : K.R.SHRIRAM, J.
DATE : 6TH MARCH, 2018.**

P.C.:

1. Mr.M.L.Narvekar the Official Assignee states that there are some amounts payable to the Official Assignee.Mr.Jain states that whatever amount is payable to the Official Assignee, the same will be paid within two weeks of receiving a communication, either orally or in writing, from the Official Assignee.The undertaking is accepted as an undertaking by the

applicant.

2. In view of this undertaking, Notice of motion is allowed in terms of prayer clause (a) which reads as under:

(a) "That the order of Adjudication dated 19th August 2006 in Insolvency Petition No.142 of 2004 (Exhibit 'A' hereto) be annulled on the ground of full payment."

3. If the amounts are not paid within two weeks as undertaken, the Official Assignee is at liberty to move this Court for further directions.

(K.R.SHRIRAM, J.)

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