

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

INSOLVENCY PETITION NO.22 OF 2017

Shri Manohar J.Gandhi)....Debtor

Ex-parte :

Shri Pratapkumar Bhannalal Sanghavi)....Pet.Creditor

Mr.P.Kumar N.Jain for pet. Creditor.
None for debtor.

CORAM : K.R.SHRIRAM,J
DATE : 20.2.2018

P.C.:-

1 The petition has been filed on the basis that the judgment debtor is indebted to the petitioning creditor in the sum of Rs.19,35,479.19/- with further interest @ 12% p.a. from 14.7.2017 on the principal amount of Rs.10,00,000/-. The indebtedness is arising out of a decree passed in Summary Suit No.3411 of 2013 by the Bombay City Civil Court. Petitioner has filed an affidavit of service of one Ayub D. Shaikh and Pratapkumar Bhannalal Sanghavi affirmed on 10.1.2018 confirming service of the petition upon the judgment debtor on 18.12.2017. There is no affidavit in reply opposing the petition and nobody has entered appearance for the judgment debtor. Judgment debtor also is not present in court on call.

2 In the circumstances, none of the averments in the petition are controverted. Judgment debtor not having complied with the insolvency notice, has committed an act of insolvency. Therefore, petition allowed in terms of prayer clauses-(a) & (b) and accordingly disposed.

3 The Official Assignee to take necessary steps in accordance with the law and procedure and to invest the amount so realized from the estate of the Insolvents/Insolvents' firms with any Nationalized Banks as per circular issued by the office of the Prothonotary and Senior Master, High Court, Bombay.

(K.R.SHRIRAM,J)