

Appl.(IP)No.293 of 2018
in
I.P.No.56 of 2014

R.SURESH KUMAR, J.

This application has been filed by the debtor to grant unconditional discharge to the applicant. It is also claimed by the insolvent that, he is blind.

2. In the insolvency Petition, the insolvent has adjudicated on 09.01.2016 only thereafter, the present application, i.e., A.No.293 of 2018 has been filed, to discharge the insolvent.

3. Pursuant to this application, the Official Assignee has sent notice to all the creditors, who have named by the insolvent during the last hearing. Since some of the debtors have not been served for want of address, after getting the appropriate address, the Official Assignee had taken notice and pursuant to which, the Official Assignee has filed a report dated 05.04.2019, which reads thus:

"It is submitted that in obedience to the directions of this Hon'ble Court, fresh notice to the aforesaid creditors have been sent by the Official Assignee on 20.03.2019 wherein it has been found that notices have been served to Creditor Nos.2, 8 & 9. Since we have not

received Acknowledgement Card for the Notice sent to Creditor No.4, while tracking the postal consignment we found that the notice has been delivered to the Creditor No.4.”

4. By relying upon this report, the learned Official Assignee would further submit that, notices have been served to all creditors, but there has been no claim from any one and as of now, not even a single claim has been made against the estate of the insolvent.

5. In view of the said fact that, there has been no claim whatsoever from any quarter, including the secured creditors though named by the insolvent for whom, notices has been served as per the report of the learned Official Assignee, this Court is of the view that, the plea made by the applicant to discharge him can be accepted. Accordingly, this application is allowed and the insolvent is discharged.

6. Since a sum of Rs.27,046/- is available in the estate, the learned Official Assignee submits that, after deducting the Administrative Expenses of a sum of Rs.7,046/- the remaining amount can be disbursed as per the order to be passed by this Court.

7. Considering the said submissions, out of a sum of Rs.27,046/-, a sum of Rs.7,046/- can be retained by the learned Official Assignee for Administrative Expenses incurred and the remaining amount of Rs.20,000/-, shall be given back to the insolvent, since he has been discharged.

08.04.2019

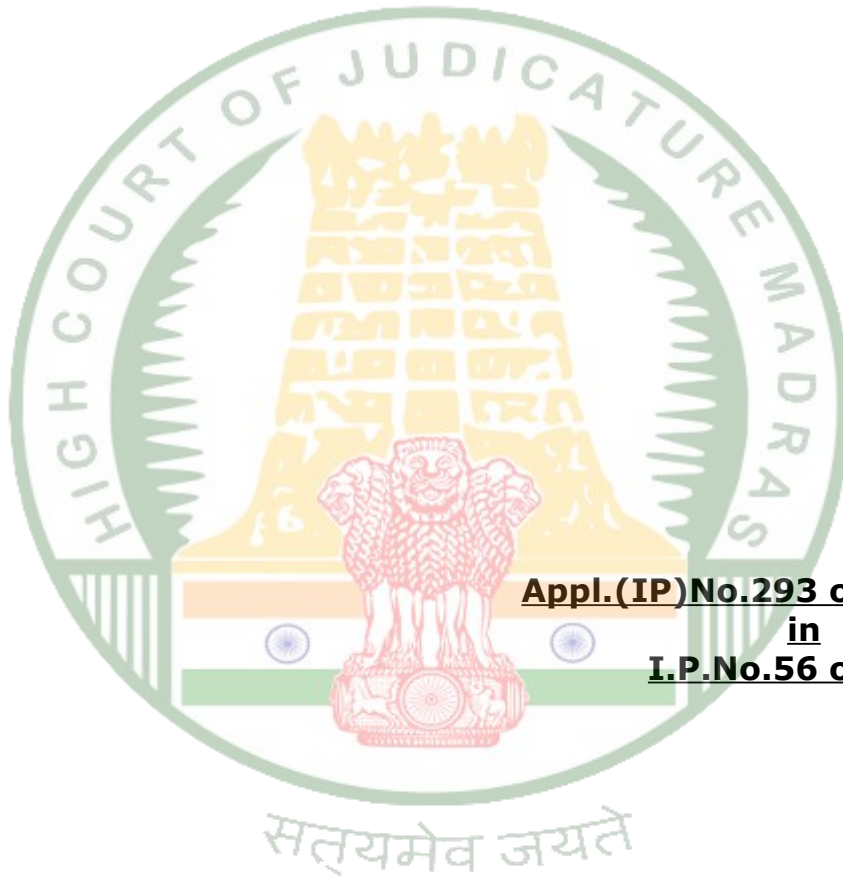
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