

Sharayu Khot.

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

INSOLVENCY PETITION NO. 31 OF 2018

Mr. Remu Javeri

**...Petitioning
Creditor**

Versus

Mrs. Laika Patel Alias Saleha Fakhi

...Debtor

Mr. Muralidharan V.C., i/by Joy Legal Consultants, for the
Petitioning Creditor.

CORAM : R.I. CHAGLA J.

DATE : 04 June 2019

ORDER :

1. Heard the learned Counsel for the Petitioning
Creditor. The Judgment-Debtor has been served with the
certified copy of the Insolvency Petition. She remains absent.
The Affidavit of Service is filed in this Court evidencing service

on the Judgment-Debtor on 9th October 2018.

2. The Petitioning Creditor has a decree in his favour of a sum of Rs. 4,28,903/- and further simple interest on Rs. 3,43,400/- at the rate of 6% per annum from 25th May 2018 until payment under an exparte decree passed by the City Civil Court on 30th August 2016 in Summary Suit No. 1206 of 2014. The Judgment-Debtor has neither paid nor filed any proceedings challenging the exparte decree. The Insolvency Notice was served upon the Judgment-Debtor on 18th July 2018. The prescribed 35 days period has expired. Therefore, I pass the following order:-

(i) Petition is allowed in terms of prayer clauses (a) and (c).

(ii) The Official Assignee is hereby appointed of the properties of the Insolvent wherever situated which shall vest in the Official Assignee and

shall become divisible amongst the Petitioner
Creditor.

- (iii) The Official Assignee also to take necessary steps in accordance with the Circular dated 14th October 2011 issued by Ministry of Finance, Department of Revenue (Central Board of Direct Taxes), New Delhi and to invest the amount so realised from the Insolvents with any of the Nationalised Banks.

[R.I. CHAGLA J.]