

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
IN INSOLVENCY
NOTICE OF MOTION NO. 38 OF 2018
IN
INSOLVENCY PETITION NO. 26 OF 1997**

Vijay Bank a National Bank	...Applicant/ Claimant
<i>Versus</i>	
Mittersain Rupchand	...Debtor/ Insolvent
Ex parte: Union Bank of India	...Petitioning Creditor
<i>And</i>	
The Official Assignee, High Court, Mumbai	...Respondent

Mr Jamshed Ansari, for the Petitioning Creditor.
Mr MD Narvekar, Official Assignee, present.

CORAM: G.S. PATEL, J
DATED: 15th January 2019

PC:-

1. The insolvency proceedings are against Smita Rupchand Jain and Vikram Rupchand Jain. The first debtor is a partnership firm, M/s. Mittersain Rupchand and the second debtor is Rupchand Mittersain Jain, since deceased. There has been difficulty serving Smita Jain and Vikram Jain at their previously stated address at

Ishwar Bhavan, "A" Road, Churchgate, Mumbai 400 020 or at their business address at 336-A, Kalbadevi Road, Mumbai 400 002. Notices have been returned saying these persons are not available at those addresses.

2. The present Applicant, Vijaya Bank, has obtained an order from the Debt Recovery Tribunal and is, therefore, seeking leave to serve Smita Jain and Vikram Jain by publication. The Petitioning Creditor is the Union Bank of India. It has no objection.

3. The Notice of Motion is made absolute in terms of prayer clause (a).

4. The Official Assignee will issue necessary directions regarding the names of the publication in which the notice is to be issued and the exact text of that notice.

(G. S. PATEL, J)