

**NOTICE OF MOTION NO. 41 OF 2018  
IN  
INSOLVENCY PETITION NO. 5 OF 2007**

**In the matter of:**

## Versus

Vinodkumr Mangilal Gadia & Anr. ... Insolvents

Mr. E.B. Shivkumar, Deputy Official Assignee, present.

**DATED : 20<sup>th</sup> AUGUST, 2019.**

P.C. :

1           This Notice of Motion has been taken out for annulment of the order of adjudication passed against the Insolvents on 26.11.2007 on the ground of full payment. It has been stated in the application that the claim of the creditor i.e. Petitioning Creditor has been settled and paid by the well wishers of the Insolvents for which the Petitioning Creditor has issued 'No Dues Certificate'. There is no objection by the Official Assignee to this application being allowed.

2            Accordingly, the order of adjudication dated 26.11.2007 is annulled under Section 21(1) of the Presidency Towns Insolvency Act, 1909 on the ground of full payment.

3            The Notice of Motion is accordingly made absolute in terms of prayer clauses (a) and (b).

**(R.I. CHAGLA, J.)**

**Note :** This order is modified/corrected as per speaking to the minutes of the order dated 28.06.2019.