



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(IN INSOLVENCY)

MONDAY, THE 19TH DAY OF JULY 2021

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

APPLN.NOS.65 TO 67 OF 2021

IN

I.P. No.12 OF 2010

In the matter of the Presidency Towns
Insolvency Act, III of 1909 and
In the matter of Shanthilal Kothari
- Debtors.

IP.NO.12 of 2010

Mr. Sathrasala Sarathbabu,
No.72, Pondy Bazaar,
T.Nagar, Chennai – 600 017.

... Petitioning Creditor

-Vs-

Shanthilal Kothari,
S/o.Dhanraj Kothari,
No.140, Govindappa Naicken Street,
Chennai – 600 001.

...Debtor

APPLN.NOS.65 TO 67 OF 2021:

Shanthilal Kothari,
No.140, Govindappa Naicken Street,
Chennai – 600 001.

...Applicant/Debtor

-VS-

Sathrasala Sharatbabu,
No.72, Pondy Bazaar,
Chennai – 600 017.

...Respondent/
Petitioning Creditor

APPLN.No.65 of 2021:



evidence of the Debtor.

APPLN.No.66 of 2021:

Application praying that this Hon'ble Court be pleased to Re-call the Applicant/Debtor as witness to let in further evidence on a date to be fixed.

APPLN.No.67 of 2021:

Application praying that this Hon'ble Court be pleased to permit the Applicant to file additional documents in support of his defence as appended to the Judges Summons.

The above applications coming on this day before this court for hearing in the presence of Mr.R.Thiagarajan, advocate for the applicant/debtor in all applications; and Mr.P.Chandrasekar, advocate for the respondent/ Petitioning Creditor in all applications; and upon reading the Judges Summon and affidavit of Shanthilal Kothari filed in all applications and

the court made the following order:-

The applicant / debtor seeks to re-open the evidence of the debtor in this Insolvency Petition to enable him to produce three documents. The documents are a letter from the Trust dated 05.04.2006, an agreement said to have been entered into between the applicant and the Trust and the statement of accounts of the Trust with Indian Bank, High Court Branch.



creditor has no objection for these applications being allowed. Therefore, all these applications are allowed.

3. Registry is directed to list the Insolvency Petition before the learned Master on 29.07.2021. The evidence shall be only for the purpose of marking of documents. The cross-examination shall be completed on the same day. The learned Master shall return the matter with the evidence recorded to the Court. The learned Master is also directed to dispose of the E.P.No.511 of 2008 within a period of eight weeks from today and report to this Court.

Post on 09.08.2021.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
19TH DAY OF JULY 2021.

SD./-

ASSISTANT REGISTRAR

Original Side – I

//CERTIFIED TO BE TRUE COPY//

DATED THIS THE DAY OF 2021.

MANAGER

INSOLVENCY OFFICE

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.



PK

26/07/2021

HIGH COURT, MADRAS

APPLN.NOS.65 TO 67 OF 2021

IN

I.P. No.12 OF 2010

THE HON'BLE MR.JUSTICE
R.SUBRAMANIAN

ORDER DATED: 19/07/2021

FOR APPROVAL: 26/07/2021

APPROVED ON : 26/07/2021

COPY TO:-

1. The Master,
Original Side, High Court,
Madras.
2. The Official Assignee,
High Court, Madras.
3. The Sub Assistant Registrar,
Original Side, High Court,
Madras.



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

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... Petitioning Creditor

-Vs-

Shanthilal Kothari,
S/o.Dhanraj Kothari,
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...Debtor

APPLN.NOS.65 TO 67 OF 2021:

Shanthilal Kothari,
No.140, Govindappa Naicken Street,
Chennai – 600 001.

...Applicant/Debtor

-VS-

Sathrasala Sharatbabu,
No.72, Pondy Bazaar,
Chennai – 600 017.

...Respondent/

Petitioning Creditor

APPLN.No.65 of 2021:

Application praying that this Hon'ble Court be pleased to Re-open the

**APPLN.No.66 of 2021:**

WEB COPY

Application praying that this Hon'ble Court be pleased to Re-call the Applicant/Debtor as witness to let in further evidence on a date to be fixed.

APPLN.No.67 of 2021:

Application praying that this Hon'ble Court be pleased to permit the Applicant to file additional documents in support of his defence as appended to the Judges Summons.

The above applications coming on this day before this court for hearing in the presence of Mr.R.Thiagarajan, advocate for the applicant/debtor in all applications; and Mr.P.Chandrasekar, advocate for the respondent/ Petitioning Creditor in all applications; and upon reading the Judges Summon and affidavit of Shanthilal Kothari filed in all applications and the learned counsel appearing for the respondent/ petitioning creditor having no objection in allowing these applications.

It is ordered as follows:-

1. That the evidence of the Debtor made in I.P.No.12 of 2010 be and is hereby re-opened.

2.That the applicant be and is hereby permitted to file 3 additional documents described hereunder.

3. That the Registry of this court be and is hereby directed to list the Insolvency Petition before the Learned Master on 29/07/2021 and the



evidence shall be only for the purpose of marking of documents and the cross examination shall be completed on the same day.

4. That the Learned Master be and is hereby directed to return the matter with the evidence recorded to the Court and also directed to dispose of the E.P.No.511 of 2008 within a period of eight weeks from today and report to this Court.

5. That the I.P.No.12 of 2010 be posted on 09.08.2021.

LIST OF DOCUMENTS

S.No	Date	Particulars of Document	Remarks
1	08.05.2013 to 12.11.2018	Statement of Accounts of Sathrasala Venkataraman Trust with Certificate	Copy
2	12.08.1997	Agreement between Shantilal Kothari and Satrasala Sugunakar	Copy
3	05.04.2006	Sathrasala Venkataraman Trust Letter	Copy

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
19TH DAY OF JULY 2021.

SD./-

ASSISTANT REGISTRAR

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DATED THIS THE DAY OF 2021.

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WEB COPY 26/07/2021

HIGH COURT, MADRAS

APPLN.NOS.65 TO 67 OF 2021
IN
I.P. No.12 OF 2010

THE HON'BLE MR.JUSTICE
R.SUBRAMANIAN

DECREE DATED: 19/07/2021

FOR APPROVAL: 26/07/2021

APPROVED ON : 26/07/2021

COPY TO:-

1. The Master,
Original Side, High Court,
Madras.
2. The Official Assignee,
High Court, Madras.
3. The Sub Assistant Registrar,
Original Side, High Court,
Madras.