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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.363 OF 2022

Margoob Ahmed Khan

...Appellant

Versus

M/s. Singh & Co.

...Respondents

None for the Appellant.

Ms. Shivangi Kedia Ruia, i/b. Girish Kedia with Krushang Kedia and
Manoj Agre for the Respondents.

CORAM : R.I. CHAGLA J

DATE : 21ST NOVEMBER, 2022

ORDER :

1. Heard learned Advocate for the Respondent / Original Plaintiff. She has stated that the present First Appeal is not maintainable in view of it having been filed by the Appellant / Original Defendant despite having been declared an insolvent by order dated 23rd November, 2021 passed by this Court. An Affidavit of the Respondent has been filed on 2nd September, 2022 which has annexed the Insolvency Petition No.3 of 2021 as well as the said order dated 23rd November, 2021 passed by this Court in Insolvency

Petition No.3 of 2021.

2. Considering that the Appellant / Original Defendant has been declared insolvent prior to the filing of the First Appeal, the First Appeal is clearly not maintainable by Appellant / Original Defendant.

3. Accordingly, the First Appeal is dismissed.

4. In view of the dismissal of the First Appeal, the Interim Applications, if any, do not survive and are disposed of accordingly.

[R.I. CHAGLA J.]