

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

**OFFICIAL ASSIGNEE'S REPORT NO. 7 OF 2023
IN
INSOLVENCY PETITION NO. 28 OF 2018**

Naresh Gopaldas Valecha.	.. Petitioning Creditor.
v/s.	
Umesh Prakash Kela.	.. Insolvent.

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Mr. P.B. Kapadia, for petitioning creditor.

Mr. Anil P. Bagwe, advocate present.

Ms. C.J. Bhatt, O.A. a/w. Mr. Arun Kesarkar, Deputy O.A. present.

Ms. M.R. Parkar, I.R. present.

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CORAM : KAMAL KHATA, J.

DATED : 21ST JULY, 2023.

P.C. :

1. Learned Counsel for the Petitioning Creditor submits that he is also a member of the Juhu Club Millennium. The learned Counsel submits that the club is doing exceedingly well and giving good service which are available to its members and that it has sufficient and reasonable source of income. He submits that the act of non deposit is deliberate and willful intent to not obey the orders of the court. The Official Assignee have also filed their

report seeking to take appropriate action for non-deposit of the sum of Rs. 2,09,661/- as directed by the Order dated 19th August, 2022 passed by this Court.

2. I have perused the report of the Official Assignee. Learned Counsel Mr. Bagwe, for Insolvent states that he has already communicated his no objection in or around June, 2023. None is present for the Club. I am therefore, of the view that the report needs to be allowed.

3. Official Assignee's Report is allowed in terms of prayer clause (a).

4. Adjourned to 4th August, 2023 for compliance.

(KAMAL KHATA, J.)