

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
IN ITS INSOLVENCY JURISDICTION

NOTICE OF MOTION NO. 5 OF 2024
IN

RAJESH DAYALDAS NARWANI

)...APPLICANT

EX-PARTE :

SICOM LIMITED

)..PETITIONING CREDITOR

V/s.

CHETAN DHANOMAL BABLANI & ORS.

9. RESPONDENTS/DEBTORS

Ms.Sana Khan i/by SNG & Partners, Advocate for the Petitioning creditor.

Ms.Daksha Parmar, Advocate for the Respondent no.1.

Mr.Mayank Bagla a/w. Mr.Hiten Lala, Advocate for the Respondent
no.2.

Mr.Amit Dubey i/by Mr.A.M.Saraogi, Advocate for the Applicant in
NMIS/5/2024.

Ms.C.J.Bhatt, Official Assignee a/w. Mr.Subodh Patil, Deputy Official Assignee, present in Court.

Ms.M.R.Parkar, Insolvency Registrar, present in Court.

CORAM : ABHAY AHUJA, J.

DATE : 20th AUGUST 2024

P.C. :

1. This Court is informed that Insolvent no.3 has never attended the office of the Official Assignee, although the Insolvent no.2 had

informed the office of the Official Assignee that the Insolvent no.3 would attend, and therefore, request is being made that a bailable warrant be issued against the Insolvent no.3.

2. Mr.Dubey, learned Counsel, appears for the Applicant in the Notice of Motion and submits that after having been adjudicated as an Insolvent, but the Insolvent no.3 entered into the transaction with the Applicant, but is avoiding this Court as well and that, his presence be secured through police assistance.

3. Ms.Khan, learned Counsel appearing for the Petitioning creditor, submits that the Notice of Motion is not maintainable, in as much as, the Applicant is indirectly trying to establish his rights.

4. Be that as it may, for the proceedings to make progress, it is imperative that the presence of the Insolvent no.3 be secured in this Court.

5. Accordingly, Registry is directed to issue bailable warrant of two solvent sureties against the Insolvent no.3, returnable on 15th October 2024, so as to secure the presence of the Insolvent no.3 in the Court.

6. Let the Insolvent no.3 remain present in this Court with appropriate instructions in the matter.

7. List on **15th October 2024.**

(ABHAY AHUJA, J.)

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