

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

**OFFICIAL ASSIGNEE'S REPORT NO. 2 OF 2024
IN
INSOLVENCY PETITION NO. 2 OF 2016**

Indian Steel & Infrastructure Pvt. Ltd.	...Petitioning Creditor
Vs.	
Soumit Ranjan Jena	...Insolvent

None for the Petitioning Creditor.

None for the Insolvent

Ms. C. J. Bhatt, Official Assignee with Mr. Arun Kesarkar, Deputy
Official Assignee and Mr. Subodh Patil, 1st Assistant to Official Assignee.
Ms. M. R. Parkar, Insolvency Registrar.

CORAM	:	ABHAY AHUJA, J.
DATE	:	5th MARCH, 2024

P.C. :

1. This Official Assignee's Report seeks the Look Out Circular against the Insolvent Soumit Ranjan Jena as other modes of securing the Insolvent's presence have not been successful.

2. Learned Official Assignee submits that Soumit Ranjan Jena was adjudicated as Insolvent on 20th September, 2016. Pursuant to the order dated 20th June, 2017, Rule Nisi was issued against the Insolvent. However, the said Rule Nisi not been served as the Insolvent was

neither available at the residential address nor at the business premises. That when the Insolvency Rule Nisi issued against the Insolvent was taken up for hearing on 16th August, 2017, the Insolvency Court made the Rule Nisi absolute with directions that the Insolvent be committed to jail for failure to attend the private examination touching their estate and affairs before the Official Assignee and also for not co-operating with the Official Assignee.

3. Thereafter, pursuant to the aforesaid orders, warrant of arrest came to be issued against the Insolvent, however, the said warrant also could not be executed.

4. Thereafter, the Official Assignee sought certain directions from the Insolvency Court vide Official Assignee's Report No. 1 of 2018 and the Insolvency Court granted prayers except issuance of the Look Out Circular. Pursuant to the Order dated 19th June, 2018, an attempt was made to trace out the location of the Insolvent through Cyber Cell, however, he could not be traced, after which the Registry sought addresses of the Insolvent from the Regional Passport office and sent the warrant of arrest to the Commissioner of Police, Mumbai for executing the same upon the Insolvent at the address at Andheri.

However, the MIDC Police Station has vide communication dated 22nd February, 2019, informed that when the warrant of arrest was sought to be executed at the Insolvent's Andheri address, they found one Rohit Pisal, running his business under the name and style of "Under Water Recuse Squad" since the last six months. Since at the time of the visit of the police said Rohit Pisal was not present, Mr. Rohit Pisal was later asked and who informed the police that Mr. Soumit Ranjan Jena was in Dubai, but he was not aware about his address. It is in these circumstances that the learned Official Assignee has sought permission to request the Immigration Bureau to issue Look Out Circular against the Insolvent Soumit Ranjan Jena.

4. From the aforesaid facts it appears that the presence of the Insolvent has not been secured before this Court by the usual modes available and therefore, it has become imperative that the prayer for request of the Look Out Circular be granted.

5. Accordingly, the Official Assignee's Report is made absolute in terms of prayer Clause (a), which reads thus:-

"a) This Hon'ble Court may be pleased to allow the Official Assignee to make Look Out Circular (LOC) opening request to the Deputy Director/Immigration, Bureau of Immigration

Head Quarters, East Block – VIII, Sector-I, New Delhi-66 and upon receipt of such request from the Official Assignee, The Deputy/Immigration shall immediately issue a Look Out Circular (LOC) opening against the Insolvent viz. Soumit Ranjan Jena and the said Look Out Circular (LOC) shall be continued until further orders.”

6. The Official Assignee’s Report stands accordingly disposed as above.

(ABHAY AHUJA, J.)