



I.P. No.117 of 2009

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ABDUL QUDDHOSE, J.

The petitioner was earlier represented by a learned counsel but the counsel on record for the petitioner had filed a Memo reiterating “no instructions” and the same was also recorded by this Court on 02.09.2024 and this Court had directed the Registry to delete the name of the learned counsel and print the name of the petitioner in the cause list. Accordingly, the name of the petitioner is printed in the cause list, today. However, there is no representation on the side of the petitioner.

2. A report dated 30.08.2024 has been filed by the learned Official Assignee. As seen from the same, the estate of the insolvent as disclosed by the petitioner (insolvent), discloses 14 Debtors to the tune of Rs.5,70,844/-. Out of the said amount, a sum of Rs.48,476/- was realised in three debt files and the same has also been closed and the remaining eleven debt files are pending. It is now represented by the learned Official Assignee that subsequent to the filing of the report, dated 30.08.2024, the remaining eleven debt files have also been closed. As seen from the report only four unsecured creditors have lodged a claim for a total sum of Rs.30,02,571/-. However, the learned Official Assignee in Paragraph No.14 of the report has stated that the insolvent is not assisting the Official Assignee in assets investigation. The learned Official Assignee has



I.P. No.117 of 2009

also stated that a sum of Rs.2,65,611/- is available in the estate of the insolvent, which is not sufficient to pay the statutory payments of 0.25 paise in a rupee to the creditors as per Section 39(c) of the Presidency Towns Insolvency Act. The learned Official Assignee prays to annul the order of adjudication dated 10.09.2009 passed by this Court in this Insolvency Petition.

3. This Court is satisfied with the report filed by the Official Assignee, dated 30.08.2024 and accordingly the order of adjudication, dated 10.09.2009 passed by this Court in I.P. No.117 of 2009 stands annulled.

08.11.2024

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I.P. No.117 of 2009

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