

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

**RULE NISI NO. 7 OF 2024
IN
INSOLVENCY PETITION NO. 101 OF 2006**

RE:
CHETAN DHANOMAL BABLANI & ORS.)..INSOLVENTS

EX-PARTE:
M/S. SICOM LIMITED)..PETITIONING CREDITOR

THE OFFICIAL ASSIGNEE OF BOMBAY)..PETITIONER

Mr. Rohit Jadhav i/b Ms Sana Khan, Advocate for the Petitioning Creditor.

Ms Daksha Parmar, Advocate for the Insolvent No. 1.

Mr. Ashok Saraogi a/w Mr. Amit Dubey and Ms Priti Rao for the Applicant in NMIS/5/2024.

Ms C.J. Bhatt, Official Assignee a/w Mr. Subodh Patil, Deputy O.A. and Mr. D. B. Iswalkar, 1st Assistant O.A. present.

Ms Rekha Rane, Insolvency Registrar present.

Mr. Chetan Dhanomal Bablani, Insolvent No. 1 present.

Mr. Kanyalal Dhanomal Bablani, Insolvent No. 3 present.

CORAM : ABHAY AHUJA, J.
DATE : 04th MARCH, 2025

PC. :

1. Pursuant to the earlier orders of this Court, today when the matter is called out, Ms Parmar, learned Counsel appears for the Insolvent No.1 viz Mr. Chetan Dhanomal Bablani and submits that an affidavit on behalf of the said Insolvent has been filed, explaining the reason why he could not remain present on 17th December 2024. Ms

Parmar submits that since the said Insolvent had an eye surgery at Bengaluru in August 2024 and was under medication he could not come. It is submitted that the Insolvent is around 80 years old and it is physically impossible for him to appear as he has a lower backache problem and not able to walk and has been advised complete bed rest by the Doctor. Ms Parmar submits that today the Insolvent No. 1 is present in Court and seeks dispensation of personal presence before this Court as well as before the Official Assignee.

2. Considering the submissions made by the learned Counsel for Insolvent No. 1 and having perused the said affidavit, this Court passes the following order:

ORDER

i) The Rule Nisi is discharged, as far as Insolvent No. 1 is concerned, subject however to an undertaking by the said Insolvent that he will appear before this Court or before the Official Assignee as and when required through the Virtual Mode. However when it is absolutely necessary he will remain physically present.

ii) Let the undertaking be given before the Insolvent leaves the Court premises today in terms of the order.

3. As far as Insolvent No. 3 is concerned, he is present in Court and

submits that his lawyer is not available today, however submitting that he will remain present on the next date. Accordingly, as far as Insolvent No. 3 is concerned, the hearing of the Rule Nisi is adjourned to **01st April, 2025**.

4. Let the Insolvent No. 3 remain present in Court on the next date alongwith his Advocate.

(ABHAY AHUJA, J.)