

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

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

Re :
Chetan Dhanomal Bablani and Ors ...Insolvents
Exparte
M/s. Sicom Limited ...Petitioning Creditor
And
The Official Assignee of Bombay ...Petitioner

WITH
NOTICE OF MOTION NO.5 OF 2024
IN
INSOLVENCY PETITION NO.101 OF 2006

Mr. Rohit Jadhav i/b Ms. SNG & Partners, Advocate for the Petitioning Creditor.
Ms. Daksha Parmar, Advocate for the Insolvent No. 1.
Mr. Ashok Saraogi 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.

CORAM : ABHAY AHUJA, J.
DATE : 1st APRIL 2025

PC. :

Rule Nisi No. 7 of 2024

1. Pursuant to the order dated 4th March, 2025, today when the matter is called out, it is pointed out to this Court that neither the Insolvent No. 3 is present nor his Advocate is present and that the Rule Nisi as regards the Insolvent No. 3 be made absolute.

2. Accordingly, the Rule Nisi as regards the Insolvent No. 3 is made absolute. The Official Assignee to take steps in accordance with law.

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3. Mr. Saraogi, learned Counsel appears for the Applicant and submits that his client is a tenant of the property that was originally owned by the Insolvent No. 3. Mr. Saraogi submits that despite order of adjudication, the Insolvent No. 3 has transferred the subject property in the name of his relatives.

4. Mr. Saraogi would submit that if the Official Assignee atleast takes symbolic possession of the property the Notice of Motion could be worked out.

5. Learned Official Assignee present in Court and submits that since the Insolvent No.3 has not disclosed the schedule of his assets during his private examination, the Official Assignee's office has not been able to take possession of any of the properties of the Insolvents.

6. Considering that today the Rule Nisi has been made absolute against the Insolvent No. 3, let an appropriate Official Assignee's report

be placed before this Court for issuance of further process against the Insolvent No. 3.

7. Accordingly, list on **6th May, 2025**.

(ABHAY AHUJA, J.)