

**HIGH COURT OF ANDHRA PRADESH:: AT AMARAVATI**

MAIN CASE NO.: C.M.S.A.No.19 of 2021

**PROCEEDING SHEET**

| Sl. No. | Date       | ORDER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | OFFICE NOTE                                                                   |
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| 1       | 01.10.2021 | <p><u>MVR,J</u></p> <p><u>C.M.S.A.No.19 of 2021</u></p> <p>Heard Sri Harinath Reddy Soma, learned counsel for the appellant.</p> <p>Upon consideration of the decrees and judgments of the trial Court as well as the 1<sup>st</sup> appellate Court, since the following substantial question of law arises for determination in the second appeal, <b>ADMIT.</b></p> <ol style="list-style-type: none"><li>1. Whether the trial court is justified in fastening the burden on the petitioner/debtor for proving the debts in ‘B’ schedule property, in the absence of denial on the part of the respondents and contrary to Section 49 of the Provisional Insolvency Act, 1920 and the 1<sup>st</sup> appellate Court did not justify in upholding the same?</li><li>2. Whether the trial court as well as the 1<sup>st</sup> appellate Court is justified in holding that the petition was filed with suppression of facts with regard to property which stands in the name of the wife of the petitioner purchased in the year 1998?</li></ol> <p>Issue notice to the respondents.</p> <p>List the matter during the 3<sup>rd</sup> week of December, 2021.</p> <p>Pab</p> <p><u>MVR,J</u></p> | <p><u>Tr. to I-O folder before corrections if any. Pl.verify</u></p> <p>÷</p> |

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