



2018:BHC-OS:2678

Before: Shri S.R.Patil, 1st Asstt. to O.A.
High Court, Bombay

Date: 13th September 2022

Re : 1) Sanket Dilip Mestry
2) Dilip Bhagwan Mestry

Insolvency Petition No. 8 of 2017

Date of Insolvency... 04-05-1999

Date of Petition... 10-04-2017

Date of Adjudication.. 20-02-2018

Attended by: Mrs. S.M. Surve, Asstt.
O.S.

Present:

Ms. Sonal Deulkar i/by Shri Anil Agarwal, Advocate for the Petitioning
Creditor

Shri A.P. Bagwe, Advocate for the Insolvents

Insolvent No. 1: Exempted

Insolvent No. 2: Absent

No other appearance

This is an adjourned meeting fixed for the private examination of the
Insolvents touching their estate and affairs.

In the meeting dated 11th July, 2022 Shri Agarwal, Ld. Advocate for the
Petitioning Creditor has stated that Plot No. 276/6 is free from any encumbrance
and the said is in possession of the Official Assignee and requested to sell the
plot and realize the money for the use of the General Body creditors of the
Insolvents.



: 2 :

In the meeting direction was passed to Registry to take necessary steps for sale of said plot of land. Ms. Deulkar states that the valuation of the said plot of land is already done.

Registry is directed to fix the programme for finalization disposal of the property within 3 weeks from today.

It was also recorded in the said meeting dated 11th July 2022 to issue letter to Shri Amol Patil through the Talathi or Gram Sevak of Village Dahiwad, Taluka Shirpur, Dist. Dhule asking the compensation for cultivating of the land and deposit the same with the Office of the Official Assignee.

It appears from the record that the Registry had sent letter dated 28th July, 2022 bearing No. OS/DMP/ 1st Asstt. O.A./1456/2022 but till date no reply has been received.

Registry is directed to send one more reminder for the said directions / order passed in the meeting.

It appears from the record that Registry was directed to issue letter to the National Highway Authorities of India (NHAI) for asking any compensation for acquiring the plot of land being survey No. 278/6 vide letter dated 3rd August, 2022 the said authority has stated that the said portion of land was not acquired by their office and no such compensation was declared against the said acquisition.



Copy of the letter received by National Highway Authorities of India handed over to the Advocate for the Petitioning Creditor as well as the Insolvents.

Though the directions was passed in the last meeting dated 11th July 2022 thereby directing the Insolvent No. 2 apply and obtain the certified copy of the said land bearing No. 278/6 and 7/12 extract for the concerned. Shri Bagwe, Ld. Advocate for the Insolvent states that they had already applied for the same before the Authority but till date they are unable to get the certified copy. Statement is accepted. Insolvent is directed to submit the copy of the 7/12 extract of the said plot or present status report of the application made before the appropriate authority.

Today, Insolvent No. 2 is absent.

Per 1st Asstt. to O.A.:

In view of the above, today's meeting stands adjourned to **16th November 2022 at 12.15 a.m.**

Registry is directed to fix the programme for finalizing the disposal of the property within 3 weeks from today.

Petitioning Creditor is directed to deposit necessary charges for final sale of the plot of land.

Insolvent No. 2 is directed to produce certified copy of 7/12 extract of 278/6 and also clarify about the letter received from the National Highway Authorities of India.



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: 4 :

Registry is directed to issue letter to Shri Amol Patil through the Talathi or Gram Sevak of Village Dahiwad, Taluka Shirpur, Dist. Dhule asking the compensation for cultivating of the land and deposit the same with the Office of the Official Assignee.

Shri Bagwe, Ld. Advocate for the Insolvents undertakes to comply with the pending requisitions on or before the next adjourned date and also directed to keep present to the Insolvent No. 2 on the next adjourned meeting. Failing which RULE NISI will be issued against the Insolvent No. 2.

S.R. Patil
1st Asstt. to Official Assignee