



Before: Shri S.R.Patil, 1st Asstt. to U.A. 2018:BHC-OS:2678
High Court, Bombay

Date: 17th January 2023

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, ASO

Present:

Ms. Sonal Deulkar a/w. Ms. Nikita Patil i/by Shri Anil Agarwal,

Advocate for the Petitioning Creditor

Shri Vinit Agrawal, one of the Director of the Petitioning Creditor

Advocate for the Insolvent: Absent

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.

Insolvent No. 2 and his Advocate absent today.

This Office has received an email dated 17th January 2023 by the Advocate for the Insolvents alongwith the medical certificate Dr. Manohar G. Mondkar stating therein that, Insolvent No. 2 suffering from uncontrolled hypertension and he is not able to walk or travel unaided and seeks for an adjournment.

It appears from the records that on 16th November 2022 same request was made by the Advocate for the Insolvents and matter was adjourned today's date.



Advocate for the Petitioning Creditor states that there is a claim of Rs.1,25,00,000/- outstanding from 2014.

In the meeting dated 11th July, 2022 Ld. Advocate for the Petitioning Creditor states that one plot No. 276/6 is free from any encumbrance and the said is in possession of the Official Assignee and request to sell the plot and realize the money for the use of the creditors. Shri Bagwe, Ld. Advocate for the Insolvents consented for the same.

In the meeting dated 13th September 2022 Registry was directed to fix the programme for finalization disposal of the property.

Today, Advocate for the Petitioning Creditor on instructions of Shri Vinit Agarwal, one of the Director of Petitioning Creditor states that Plot No. 278/6A can be sold and money can be realized for the use of the Creditors.

Advocate for the Petitioning Creditor states that on last two occasions Insolvent No. 2 was remained absent and Insolvent No. 2 is purposefully avoiding to appear for the private examination. She also states that she has doubt about medical certificate issued by the said doctor.

Per 1st Asstt. to O.A.:

In view of the above, today's meeting stands adjourned to **6th February 2023 at 12.30 p.m.**

In view of the Order passed by the Hon'ble Insolvency Court in Official Assignee Report 1 of 2019 dated 17th September 2019 Office to take expedite steps and



submit report about the reserve bid prize of the Plot No. 278/6 on or before the next date.

Registry is also directed to submit compliance made by the Insolvent for various directions given in the earlier meeting and submit report on or before the next date.

Registry is directed to intimate the Advocate for the Insolvents about adjourned date and time of the meeting with strict warning if Insolvent No. 2 fails to appear before the Official Assignee then RULE NISI will be issued against the Insolvent.

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