



Before: Shri S. R. Patil, 1<sup>st</sup> Asstt. to C.A.  
High Court, Bombay

**Date: 4<sup>th</sup> September, 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

Present:

Petitioning Creditor: Absent

Ms. Chaya More i/by Anil Agarwal, Advocate for the Petitioning  
Creditor

Advocate for the Insolvents: 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.

Today, Advocate for the Insolvent is absent.

It seems from the record that the Insolvent No. 2 was absent on 13<sup>th</sup>  
September, 2022, 16<sup>th</sup> November, 2022, 17<sup>th</sup> January, 2023, 6<sup>th</sup> February, 2023, 3<sup>rd</sup> May,  
2023, 24<sup>th</sup> July, 2023 and 31<sup>st</sup> July, 2023 and was only present on 29<sup>th</sup> March, 2023. On  
the same day directions were given to submit the report of the Medical Certificate of  
the hospitalization of the Insolvent as he was suffering from Alzheimer.



: 2 :

In the meeting dated 31<sup>st</sup> July, 2023, Advocate for the Insolvent submitted that medical certificate issued by Dr. Rajendra Jhanwar of Palkash Advanced Neurocare Hospital, Malad (W.) of the Insolvent No. 2 and also states that he is taking treatment and having walking difficulty.

Today, Advocate for the Insolvent is absent.

On 29<sup>th</sup> March, 2023, Mr. Bagwe makes a statement that Insolvent No. 2 is suffering from Alzheimer and upon instructions of Shri Vivek Chhabria who is accompanied with the Insolvent No. 2 and who is friend of Sanket Mestry, Insolvent No. 1, states that he will submit the medical certificate about the hospitalization of the Insolvent No. 2, but till date he has not submitted any documents regarding the hospitalization and disease mentioned in the medical certificate till today.

In the meeting dated 13<sup>th</sup> September, 2022, it was recorded that, office has taken the physical possession of land i.e. Survey No. 278/6, Village – Dahivad, Tal- Shirpur, Dist- Dhule. The valuation of the said property is also made by M/s. H. Mehta & Associates.

Despite of the order passed on 5<sup>th</sup> December. 2019, regarding deposit of original title deed, pertinent to 278/4/A, 278/5/A, 278/6 are not deposited by the Insolvent No. 2 to this Office. Office to issue RULE NISI about the same.

Advocate for the Insolvent is directed to deposit the Original title Deed of the 278/4/A, 278/5/A, 278/6 immediately to this office.

As per the directions given in the meeting dated 31<sup>st</sup> July, 2023, office has sent reminder on 7<sup>th</sup> August, 2023 to Talathi & Tehsildar asking the necessary information about the Survey No. 278/4/A, 278/5/A. But till date, no response is



: 3 :

received from the said office. Office to issue one more reminder to the concerned department about the same.

Advocate for the Petitioning Creditor states that they have one interested buyer for purchasing of the said plot. Let the buyer offer his purchase price in writing to Official Assignee and the same may be place before the Hon'ble Insolvency Court.

Advocate for the Petitioning Creditor, Ms. Chhaya More, requested to furnish the copy of the medical report which was furnished by the Advocate for the Insolvent on 31<sup>st</sup> July, 2023. Office to issue the same to the Advocate for the Petitioning Creditor on their own cost.

**Per 1<sup>st</sup> Asstt. to O.A.:**

In view of the above, today's meeting stands adjourned to **14<sup>th</sup> September, 2023 at 11.00 a.m.**

Office to take immediate steps to dispose off the property at Survey No. 278/6, Village – Dahivad, Tal- Shirpur, Dist- Dhule

Insolvent no. 2 is directed to submit the necessary certificate of his illness and for remaining absent before the meeting on 29<sup>th</sup> March, 2023. The learned Advocate is also directed to comply with the pending requisitions on/before the next date of the meeting.

Insolvent is directed to remain present & comply office requisitions on next date of meeting failing which RULE NISI will be issued against him.



2018:BHC-OS:2678

: 4 :

Office to prepare necessary report for non-compliance of the office  
requisitions.

1<sup>st</sup> Asstt. to Official Assignee

MAS/SRP  
/home/ubuntu/Desktop/Minutes of 1st Asstt. to OA 2023/Sanket D. Mistry/Sanket D. Mistry.doc