



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

Date: 14th 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. Chhaya More i/by Anil Agarwal, Advocate for the Petitioning
Creditor

Mr. Anil 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.

On the last occasion, Insolvent No. 2 was absent and directions were passed to comply with the office requisitions on next date of the meeting, failing which RULE NISI will be issued against Insolvent.

Advocate for the Insolvent states that, Insolvent is suffering from Alzheimer and not able to walk. He states upon instructions that Shri Vivek Chhabria i.e. brother in law of the Insolvent is taking care of Insolvent No. 2 and bearing medical expenses and for his survival. Statement accepted.



In the meeting dated 5th December, 2019, directions were passed against Insolvent to deposit original title deeds pertaining to the 278/4A, 278/5A and 278/6 with the Official Assignee, but till date, Insolvent doesn't tendered title deeds. In this regard, Advocate for the Insolvent states that the said title deeds are lying in flat no. A-1301, Rustomjee Royale CHS Ltd, Jaywant Sawant Marg, Dahisar West, Mumbai – 400 068. He further states that, the said flat is in possession of Official Assignee and vide order passed in Notice of Motion (L) No. 3974 of 2022 dated 21st July, 2023 to sale the abovesaid flat in favour of M/s. Intec Capital Ltd. Statement is accepted. In the meeting dated 11th July, 2022, office was directed to take steps for the sale of the plot Shirpur, Village Dahiwad, Taluka Shirpur, Dist. Dhule.

As per the directions given in the meeting dated 31st July, 2023, office has sent reminder on 7th 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 received from the said office.

Per 1st Asstt. to O.A.:

In view of the above, today's meeting stands adjourned to **18th October, 2023 at 11.00 a.m.**

Advocate for the Insolvent is directed to comply with the office requisitions on/before next date.

Office to open the flat for taking search of relevant papers, which is in possession of Official Assignee in presence of the Insolvent, Advocate for the Insolvent as well as Advocate for the Petitioning Creditor on 12th October, 2023. Advocate for Petitioning Creditor as well as Insolvent to extend full cooperation for



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searching title deeds of the above said flat.

Office to issue one more reminder to the Talathi & Tehsildar, Dhule
for issuing 7/12 extract of the Survey No. 278/4A, 278/5A.

1st Asstt. to Official Assignee

MAS/SRP
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