



2018:BHC-OS:2678

**Before : Shri. Dinesh B. Iswalkar**

First Asstt. To Official Assignee

High Court, Bombay

**Date: 22<sup>nd</sup> January, 2025**

Re: 1) Sanket D. Mestry

2) Dilip B. Mestry

**Insolvency Petition No. 8 of 2017**

Date of Insolvency ... 10.04.2017

Date of Petition. ... 14.03.2017

Date of Order of Adjn. ... 20.02.2018

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**Present:**

Insolvent No.1 : Sanket D. Mestry

Insolvent No.2 : Deceased

Mr. Anil P. Bagwe, Advocate for the Insolvent present.

Ms. Chhaya More i/by Anil Agarwal, Advocate for the

Petitioning Creditor.

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

Insolvent No. 1 is present and he is ready to depose on oath.

**INSOLVENT NO. 1 SANKET D. MESTRY, AGED 47 YEARS ON SOLEMN AFFIRMATION STATES AS UNDER:**

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Q. 1 Why are you not attending meeting in the Office of the Official Assignee?

Ans. I say that I was detected Multiple Sclerosis. I could not walk from 2017, hence I could not attend the meeting. Once I attended on 17<sup>th</sup> October, 2018 and



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on that day, my private examination was held before the then First Assistant to Official Assignee.

Q.2 What is present status of Bhagwan Motors Pvt Ltd?

Ans. I was a Director of Bhagwan Motors Pvt Ltd on which now liquidation proceeding is pending before NCLT Ahmedabad and Mr. Ajay Chopra is appointed as Liquidator.

Q.3 When last Income Tax Return of Bhagwan Motors Pvt Ltd is filed?

Ans. I say that upto 2017, as a Director of Bhagwan Motors Pvt Ltd I have filed Income Tax Return. Thereafter, from 2018 onwards, Resolution Professional (Mr. Mangesh Kekre) is filing Income Tax Return.

Q.4 When you have filed your last personal Income Tax Return?

Ans. I say that I had filed personal Income Tax Returns upto 2016. Thereafter, I am not filing my personal Income Tax Returns.

Q.5 Who is bearing your medical expenses?

Ans. I say that, my wife (Mrs. Shama Sanket Mestry) is bearing my all medical expenses.



Q.6 How are you maintaining yourself?

Ans. I say that, my wife (Mrs. Shama Sanket Mestry) is bearing my day to day expenses.

Q.7 Do you have any Mediclaim/LIC policy?

Ans. No.

Q.8 At present, what are you doing?

Ans. I say that, I am not doing anything.

(As per Office requisition, it shows that, Original Passport is not submitted.)

Q.9 Have you travelled abroad from 2018 till today?

Ans. No.

Q.10 What is current status of Original passport?

Ans. In the meeting dated 17<sup>th</sup> October, 2018 I already stated that the Original passport is kept in Tijori at residential flat at Silver Spring Society, Indore, which is in physical possession of the Official Assignee. Hence, I am not aware about the present status of the Original Passport.



Q.11 What is the present status of driving license?

Ans. As I am suffering from Multiple Sclerosis, hence, I could not drive. However, I will submit driving license within 2 (two) weeks in the Office of the Official Assignee.

Q.12 What is your mobile number?

Ans. My mobile number is 9755099703.

Q.13 Who had provided mobile handset and who is paying the bill of the said mobile handset?

Ans. I say that mobile handset was provided by Bhagwan Motors Pvt Ltd and at present, my wife is paying the mobile bill.

Q.14 Do you have any bank account?

Ans. I say that, at present I do not have any bank account.

Q.15 What is the current status of Plot of land no.278/6/A situated at Village Dahivad, Tal. Shirpur, Dist. Dhule?

Ans. I say that, as per my knowledge my late father sold the aforesaid plot on 28<sup>th</sup> June, 2021 to Mr. Khusalsing Darbarsing Girase & Ors. However, I am not aware about the receipt of the sale proceeds of the said plot of land. The said plot was in the possession of the Official Assignee since 12.09.2018.



Advocate Ms. Chhaya More i/b. Advocate Anil Agarwal for Petitioning Creditor, she has submitted that they have filed letters dated 21.12.2024 & 26.12.2024 in the Office of the Official Assignee thereby she is requesting to put questions to Insolvent No.1 (Sanket D. Mestry).

Thereafter, Mr. Anil P. Bagwe, Advocate for the Insolvents raised an objection for putting any questions on behalf of the Petitioning Creditor in the private examination. He further submitted that, copies of the letters dated 21.12.2024 & 26.12.2024 are not served either on Insolvent or Advocate for the Insolvents.

Advocate Ms. Chhaya More further submits that, we are not require to serve the copies of the said letters upon Insolvents. She further submits that, on the direction of the Office of the Official Assignee, we are ready to serve the same to the Insolvents.

Mr. Anil P. Bagwe, Advocate for the Insolvents submits that matter is pending before the Hon'ble Insolvency Court is now adjourned to **18<sup>th</sup> March, 2025**, therefore he is requesting for adjournment on 19<sup>th</sup> March, 2025 at 12.00 noon. Request is accepted.



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

In view of the above, today's meeting stands adjourned to  
**19<sup>th</sup> March, 2025 at 12.00 noon.**

Office is directed to submit compliance report about the pending  
requisitions on/before next date of meeting.

Office is directed to take further steps to the abovementioned  
letters dated 21.12.2024 & 26.12.2024.

MAS/DBI

**(D. B. Iswalkar)**  
**1<sup>st</sup> Asstt. to Official Assignee**