



2018:BHC-OS:2678

Date : 26th September, 2018

Re : 1) Sanket Dilip Mestry

2) Dilip Bhagwan Mestry

Insolvency No. 8 of 2017

Date of Insolvency... 04-05-1999

Date of Petition... 10-04-2017

Date of Adjudication..20-02-2018

Present.

Mr. Anil Agarwal, along with Pooja Rathod & Ankit Agarwal, Advocate for Petitioning Creditor.

Mr. Manish R. Bhalala, Authorised Signator, Representative of Petitioning Creditor.

Sanket Dilip Mestry : Insolvent No. 1 Present.

Dilip Bhagwan Mestry: Insolvent No. 2 Present.

Dilip Bhagwan Mestry, Insolvent No.1 on further solemn affirmation:-

Interpreted by Ms. Rachna Pramod Devdhar, Junior Translator Interpreter

since Insolvent does not know English very well, states as under :-

I say that on 16/08/2018, I stated that the factory premises is mortgage with the Corporation Bank Pithampur Branch for the over draft facility.

I say that, I myself and my son are also guarantors in I and my son might be guarantors in our personal capacity.

I say that the Bhagwan Motors Company is having factory at Prithampur and the said factory is owned by the said company.

I say that my business of company carried out under the name and style as Bhagwan Motors Pvt. Ltd is mostly in looked after handled by my son Sanket Dilip Mestry and he has knowing all the details regarding Sales Tax /



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G.S.T. tax which is paid for the said all the companies.

(Insolvent No. 2 is directed to file the returns / assessment orders for regarding Sales Tax and or G.S.T. last 3 years preceding order of adjudication i.e. 20th February, 2018.)

(Requisition accordingly.)

I say that I used to pay Income Tax however, after declaring me as Insolvent i.e. from February, 2018 for this financial year, I am not aware as to whether my Chartered Accountant has filed returns or not.

(Insolvent is directed to file all the returns of assessment filed for last 3 years preceding order of adjudication i.e. prior to 20th February, 2018)

(Requisition accordingly.)

I say that presently I am not having any life Insurance Policy standing in my name. The earlier policies which I had have been matured long back.

I am having Saving Bank Account with Corporation Bank Pithampur Branch, Savings Accounts No.162700101001846 this is saving A/c.

(Office is directed to write a usual letter to the Bank)

(Requisition accordingly.)

The Annual Report for year 2017-2018 sent by Saraswat Bank Co-operative Bank Ltd is shown to the Insolvent No. 2. I say that I had taken loan from Saraswat Co-operative Bank approximately 20 years



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back when I was issued shares as per their practice. I am also having shares of Bharat Co-operative Bank Ltd. since I have taken loan from that bank also.

(Insolvent is directed to deposit the Shares Certificate of both the said banks in this office and submit the details of dividend amount which he has received from the date of adjudication i.e. 20th February, 2018 and to deposit the said amount in this office.)

(Requisition accordingly.)

(Office is directed to write usual letter to both Saraswat Co-operative Bank and Bharat Co-operative Bank ltd.)

(Requisition accordingly.)

I say that I do not have any Bank Account in any other Bank. I donot have any Joint Account either with my wife or my son i.e. the Insolvent No. 1. I do not have any Savings Account in post office or I do not have any P.P.F. Account. I do not have any D-mate Account standing in my name. I do not have any Safe Deposit locker either in any bank or in any financial Institutions. I do not have any shares than the shares mentioned above.

(Office is directed to address a letter to NSDL calling to the detail quoting Pan Card Numbers of both Insolvents.)

(Requisition accordingly.)

I say that for last 2 years I am not using any Credit Card and the Credit Card is closed down since 2 years back as it was use over and above limit



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(Insolvent is directed not to operate the Credit Card)

(Requisition accordingly.)

I say that I have already deposited my original passport in this office. I have also deposited my driving licence in this office. At present I am not having any Car standing in my name.

I do not have any Fixed Deposits standing in my name either individually or jointly either with my son or with my wife in any all the bank, company or financial Insitutions. I say that I am wearing one chain and ring of yellow metal which I hereby surrender.

(Insolvent has surrendered the chain and ring of yellow metal in this office. Office is directed to appoint valuer from panel of Court or any government approved valuer to value the said yellow metal articles and obtain the report within two weeks from today. Advocate for Petitioner is directed to deposit cost of valuation)

(Requisition accordingly.)

(Advocate for petitioner is directed to deposit cost of valuation)

(Requisition accordingly.)

(Office is directed to keep the said yellow metal of articles in safe custody.)

(Requisition accordingly.)



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For compliance of requisitions and further private examination of Insolvent No. 2 stand over to **06th October, 2018 at 12:00 noon.**

Insolvent No. 1 Viz. Sanket Dilip Mestry, who is present personally informed that he is physically handicap and cannot travel alone and thereafter made request to complete his Private Examination within 1 or 2 days and to fix his private examination on 17th October, 2018 whole day therefore, by consent of parties the private examination of Sanket Dilip Mestry Insolvent No.1 is fixed on **17th October, 2018 at 11:00 a.m.)**

1st Asstt. to Official Assignee