



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS INSOLVENCY JURISDICTION

INSOLVENCY PETITION NO.7 OF 2023

AMBALAL SARDARMALJI CHOWHAN)...PETITIONING CREDITOR

V/s.

ASHOK D. SHAH)...JUDGMENT DEBTOR

None for the Petitioning Creditor.

None for the Judgment Debtor.

CORAM : ABHAY AHUJA, J.

DATE : 9th NOVEMBER 2023

PC. :

1. None for the Petitioning creditor.
2. None for the Judgment debtor.
3. On 31st October 2023, the following order was passed :
 - “1. On 17th October, 2023, the following order was passed:
 - “1. None for the Petitioning Creditor.
 2. List on 31st October 2023.”
 2. Today when the matter is called out, none appears for the Petitioning Creditor. Accordingly, list on 7th November, 2023 for dismissal.”
4. Again, today, none appears for the Petitioning creditor nor for the Judgment debtor.
5. Accordingly, the Petition stands dismissed.

(ABHAY AHUJA, J.)

LATER ON AT 6.05 P.M. :

Mr.Ramesh Jain, Advocate for the Petitioning Creditor.

6. Mr.Ramesh Jain, learned Counsel, appears for the Petitioning Creditor and submits that the Insolvency Petition which was dismissed earlier in the day be restored.

7. As noted above, none was present on 31st October 2023, and therefore, the matter was scheduled for dismissal today, and even this morning when the matter was called out, none was present and this matter was dismissed. However, Mr.Ramesh Jain appears for the Petitioning creditor and apologies, while seeking to restore the Petition and for time to serve the Insolvency Petition upon the Judgment debtor.

8. The Petition is restored. Let the Insolvency Petition be served upon the Judgment debtor and an affidavit of service with tangible proof be filed by the next date.

9. List on **19th December 2023.**

(ABHAY AHUJA, J.)