

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
IN ITS INSOLVENCY JURISDICTION**

INSOLVENCY PETITION NO.19 OF 2023

RE :
TUSHAR MEHTA AND ORS)...DEBTORS

EXPARTE :
RAJESH NANDLAL SAHJWANI)...PETITIONING CREDITOR

Ms.K.S. Lalwani, Advocate for the Petitioning Creditor.

Ms.M.R. Parkar, Insolvency Registrar, present in Court.

Mr.Tushar Mehta, Respondent no.1, present in Court.

Ms.Geeta Mehta, Respondent no.3, present in Court.

CORAM : ABHAY AHUJA, J.

DATE : 1st OCTOBER 2024

PC. :

1. Pursuant to order dated 20th August 2024, today when the matter is called out, Ms.Lalwani, learned Counsel, appears for the Petitioning creditor and submits that all the three Judgment Debtors have been served by publication in Gujarati and English newspapers on 1st March 2024 and that affidavit of service has been filed in respect thereof on 18th March 2024. Ms.Lalwani submits that the Judgment Debtor no.1 and 3 are present in Court and they had, on an earlier occasion, been

represented by an Advocate, however, the Judgment Debtor no.2 is not present, though served. Ms.Lalwani, accordingly, submits that the Judgment Debtors be adjudicated as Insolvents as they have not complied with the notice dated 12th September 2023 and have committed an act of insolvency.

2. The Judgment Debtor no.1, who is present in person, submits to this Court that he has no money to appoint a lawyer. When this Court suggested that this Court can direct the Legal Aid to assist him, he has refused saying that the lawyers appointed by Legal Aid ask for money. This Court, accordingly, has requested the Judgment Debtor no.1 and Judgment Debtor no.3 to make an application to the Committee of this Court for allowing them to appear as party in person.

3. Accordingly, list on **19th November 2024**.

4. Let an appropriate application be made by the Judgment Debtors No.1 and 3 before the Committee of this Court and the Committee may decide their applications in accordance with the Rules of this Court.

(ABHAY AHUJA, J.)