

judgment

NOORD-HOLLAND DISTRICT COURT

judgement on declaration of bankruptcy

Trade, Sub-district and Insolvency

Petition number: C/15/288017 / FT RK 19/540

Insolvency number: C/15/19/106 F

Date of judgment: 21 May 2019

On 29 April 2019, the petition was received from:

– H. ESSERS FINANCE COMPANY N.V.,
– WALLENBORN TRANSPORTS S.A.,
attorney at law C.M. Kan LLM,

for the declaration of bankruptcy of:

the foreign company under Indian law
Jet Airways (India) Limited,
registered with the Chamber of Commerce under number 65233239,
with its registered office in Mumbai,
registered address: 1118 BG Schiphol, Schiphol Boulevard 155 D-9,
registered address: Siroya Centre Sahar Airport Road Mumbai 400 099 India.

1. The procedure

The petition was heard in chambers during the hearing on 21 May 2019. The debtor, although duly summoned, did not appear.

2. The evaluation

Debtor has its registered office in Mumbai (India) and therefore has no place of residence within the Kingdom in Europe. However, according to the Trade Register of the Chamber of Commerce, it does pursue a profession or business in the Netherlands and has an office at Schiphol, in the municipality of Haarlemmermeer, so that this district court is competent to deal with the bankruptcy petition pursuant to Section 2(4) of the Bankruptcy Act.

It is *prima facie* clear from the claims made in the petition that creditors have a right of action and that there are facts and circumstances which show that the debtor is in the condition of having ceased to pay. Therefore it will be declared bankrupt.

3. Decision

The district

court

– declares **JET AIRWAYS (INDIA) LIMITED**, aforementioned, to be in a state of bankruptcy;

appoints as supervisory judge the member of this court J.J. Dijk LLM:

appoints R. Mulder LLM, attorney at law in Haarlem, as administrator in bankruptcy;

- orders the administrator in bankruptcy to open the letters and telegrams addressed to the insolvent party.

This judgment has been given by W.S.J. Thijs LLM and pronounced in public on 21 May 2019 at 10.40 a.m., in presence of the registrar.

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