

# ACT No. XI OF 1927.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the  
2nd September, 1927.)

## An Act further to amend the Presidency-towns Insolvency Act, 1909, and the Provincial Insolvency Act, 1920, for certain purposes.

**W**HEREAS it is expedient further to amend the Presidency-towns Insolvency Act, 1909, and the Provincial Insolvency Act, 1920, for certain purposes hereinafter appearing; It is hereby enacted as follows:—

1. This Act may be called the Insolvency (Amendment) Act, 1927.

Short title.

2. Section 14 of the Presidency-towns Insolvency Act, 1909, shall be re-numbered as sub-section (1) of section 14, and to that section the following sub-section shall be added, namely:—

Amendment of section 14, Act III of 1909.

“(2) A debtor in respect of whom an order of adjudication, whether made under this Act or under the Provincial Insolvency Act, 1920, has been annulled owing to his failure to apply or to prosecute an application for his discharge shall not be entitled to present an insolvency petition without the leave of the Court by which the order of adjudication was annulled. Such Court shall not grant leave unless it is satisfied either that the debtor was prevented by any reasonable cause from presenting or prosecuting his application, as the case may be, or that the petition is founded on facts substantially different from those contained in the petition on which the order of adjudication was made.”

3. In sub-section (1) of section 21 of the same Act, after the words “annul the adjudication” the following words shall be added, namely:—

Amendment of section 21, Act III of 1909.

“and the Court may, of its own motion or on application made by the official assignee or any creditor,

annul

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annul any adjudication made on the petition of a debtor who was, by reason of the provisions of sub-section (2) of section 14, not entitled to present such petition."

V of 1920.  
III of 1909.

4. In sub-section (2) of section 10 of the Provincial In-  
solvency Act, 1920, for the words "made under this Act" Amendment of section 10, Act V of 1920.  
the words "whether made under the Presidency-towns In-  
solvency Act, 1909, or under this Act" shall be substituted.

5. In section 35 of the same Act, after the words "annul Amendment of section 35, Act V of 1920.  
the adjudication" the following words shall be added,  
namely:—

"and the Court may, of its own motion or on application made by the receiver or any creditor, annul any adjudication made on the petition of a debtor who was, by reason of the provisions of sub-section (2) of section 10, not entitled to present such petition."