

IN THE NATIONAL COMPANY LAW TRIBUNAL: CHANDIGARH
(through Hybrid Mode)
COURT-I

Item No. 106

Caveat No. 13/2024
And
CP (IB) No. 148/Chd/Chd/2024

IN THE MATTER OF:

Ashwani Kumar Oberoi (PG)

...Petitioner

Under Section: 94, IBC 2016, Rule 25, NCLT Rules, 2016

Order delivered on 10.07.2024

CORAM:

SH. UMESH KUMAR SHUKLA
HON'BLE MEMBER (T)

SH. HARNAM SINGH THAKUR
HON'BLE MEMBER (J)

PRESENT:

For the Petitioner : Mr. Aalok Jagga, Advocate
Mr. APS Madaan, Advocate

For the caveator-SBI : Mr. Harsh Garg, Advocate
In Caveat No. 13/2024 Ms. Ramneek Kaur Mann, Advocate

ORDER

Caveat No. 13/2024

It is pointed out by learned counsel for the caveator that the petitioner is personal guarantor and the guarantee was invoked on 31.12.2019 and the cause of action arose to the petitioner on that date and now the present petition has been filed on 10.05.2024, which is time barred. As Mr. Harsh Garg, Advocate has appeared on behalf of the State Bank of India, the present Caveat bearing Caveat No. 13/2024 is discharged accordingly.

CP (IB) No. 148/Chd/Chd/2024

Short note has been filed on behalf of the petitioner vide Diary No. 1503/1 dated 10.07.2024. The same is taken on record. It is stated by learned counsel for the SBI that he wants to file a counter to the short note along with relevant

judgments, if any. Let the same be filed within one week with a copy in advance to the counsel opposite. List the matter for arguments on 08.08.2024.

-sd-
(UMESH KUMAR SHUKLA)
MEMBER (T)

SM

-sd-
(HARNAM SINGH THAKUR)
MEMBER (J)