

IN THE NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH (COURT – II)
(Through Hybrid Mode)

Item No. 108

IA(I.B.C)/835(CH)2024

And

CP(IB) No. 288/Chd/Hry/2022

IN THE MATTER OF:

Indian Bank

...

Petitioner

Versus

Mukesh Kumar

...

Respondent

Under Section: 95(1), 99, IBC 2016

Order delivered on 09.07.2024

CORAM:

**SHRI. UMESH KUMAR SHUKLA,
HON'BLE MEMBER (T)**

**SHRI. HARNAM SINGH THAKUR,
HON'BLE MEMBER (J)**

PRESENT:

For the RP

: Mr. Dharam Paul Garg, Advocate with Mr. Vivek Bansal, RP in person

**For the Personal : None
Guarantor**

ORDER

IA(I.B.C)/835(CH)2024

This application has been filed for placing on record the report of RP filed under Section 99. The same is taken on record subject to just exceptions. Thus, IA No.835(CH)2024 is disposed of with a direction to tag the same with the main petition for reference purpose.

CP(IB) No.288/Chd/Hry/2022

Latest AFA has been filed vide diary No.02220/1 dated 07.02.2024. Similarly, compliance affidavit filed vide diary No.02220/3 dated 27.05.2024 are taken on record. It is stated by the learned counsel for the petitioner that the notice could not be served through registered post as the same has been

July 09, 2024

Priyanka

returned back with a remark that they are residing on some other address in Karnal but it is stated by the learned counsel for the RP that no new address is available to the RP however, they are appearing in other cases before the DRT Delhi. In this circumstance, learned counsel for the RP is directed to take the **DASTI NOTICE** along with copy of the report of the RP and get the same served upon the personal guarantor/counsel for the personal guarantor in DRT Delhi on the next date of hearing. In case the service of dasti notice on the personal guarantor is not effected, the counsel for the RP shall adopt the mode of substituted service and the notice of hearing be advertised in two daily newspapers (one English and one Hindi) having wide circulation in the area of Karnal and file affidavit of service along with copy of postal receipt, tracking report, copy of email and paper clippings, if applicable, within three weeks.

The personal guarantor is given the opportunity to file the objections against the report within one week after receiving the notice with a copy in advance to the counsel opposite. Response to the objections, if any, be filed within one week thereafter with a copy in advance to the counsel opposite.

Let the matter be listed on 28.08.2024.

Sd/-

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

Sd/-

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