

IN THE NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH (COURT – II)

Item No. 202
(IB)-236/ND/2024

IN THE MATTER OF:

Canara Bank

...

Appellant/Petitioner

Versus

M/s SV Buildcon Pvt. Ltd.

...

Respondent

Under Section: 7 of IBC, 2016

Order delivered on 02.07.2024

CORAM:

SH. ASHOK KUMAR BHARDWAJ
HON'BLE MEMBER (J)

SH. SUBRATA KUMAR DASH
HON'BLE MEMBER (T)

PRESENT:

For the Appellant : Adv. Hitesh Sachar, Adv. Anju Jain, Adv. Anshul
Singh Patel

For the Respondent :

Hearing Through: VC and Physical (Hybrid) Mode

ORDER

Ld. Counsel for the Applicant could draw our attention at page No. 2 of the paper book to espouse that Ms. Anjali Bhardwaj is Director qua the Corporate Guarantor (CD) and she could offer settlement qua the amount of financial facility, though in the capacity of being Director qua M/s Suryansh Healthcare Pvt. Ltd. who is principal borrower. He could also draw our attention to the financial statement qua the Respondent before us to show that the liability qua which the present proceedings are preferred is reflected in the same. Nevertheless, at this stage, the Ld. Counsel for the Respondent submitted that since his reply was not on record, he perceived that the present matter would not be heard today. We do not find any basis and logic for such presumption by the Ld. Counsel for the Respondent. It was for him to ensure that the reply is uploaded on DMS of this Tribunal. It is seen that on 11.06.2024, the Respondent was given 2 days' time for the purpose. By way of sheer indulgence and in the interest of justice, further one-week time is granted to CD to upload the reply on

DMS, subject to payment of cost of Rs. 25,000/- to be deposited in the Prime Minister's Relief Fund within 3 days. The receipt of payment of cost should be uploaded on the DMS/record, within given time.

List the matter on 30.07.2024.

Sd/-
(SUBRATA KUMAR DASH)
MEMBER (T)

Sd/-
(ASHOK KUMAR BHARDWAJ)
MEMBER (J)