

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI

SPECIAL BENCH

COURT-VI

**Item No. 101
IB-937/ND/2020**

IN THE MATTER OF:

M/s Volkswagen Finance Pvt. Ltd.

...PETITIONER

Vs

SMT Pavan Kapoor

...RESPONDENT

Section

Under Section 95 (1) of IBC

**Order delivered on 28.09.2020
(Virtual Hearing)**

Coram:

SHRI P.S.N. PRASAD, HON'BLE MEMBER (JUDICIAL)

DR. V.K. SUBBURAJ, HON'BLE MEMBER (TECHNICAL)

For the Petitioner/Operational Creditor :Mr. Sanjeev Sagar and Ms. Nazia Parveen, Advocates, Mr. Paras Khanna, Collection Manager and Mr. Birendra Rawat, Law Officer

For the Resolution Professional

:Mr. Kamal Agarwal, RP

For the Respondent/Corporate Debtor

:Ms. Ranjana Roy Gawai, Ms. Vasudha Sen and Ms. Ananya Chug, Advocates

ORDER

Heard the submissions made by the counsel for the petitioner. Counsel for the petitioner has prayed for a week days' time to appraise the Tribunal regarding legality of entertaining the petition filed by him under Section 95 (1) of IBC. Admittedly the petitioners' counsel has submitted that they have already lodged their claim with the liquidator now intend to proceed against the guarantor who is the respondent in the present petition. At the request of the



(Annu)

counsel a week's time has been granted to make oral as well as written submissions regarding the legality to consider the matter by the Tribunal. Post the matter to 9th October, 2020.

-Sd-

(V.K. Subburaj)
Member (T)

-Sd-

(P.S.N. Prasad)
Member (J)