

DIVISION BENCH

ITEM NO.110

**NATIONAL COMPANY LAW TRIBUNAL
ALLAHABAD BENCH
PRAYAGRAJ**

IA NO.153/2024 IN CP (IB) No.32/ALD/2023

CORAM:

- 1. SHRI PRAVEEN GUPTA,
HON'BLE MEMBER (JUDICIAL)**
- 2. SHRI ASHISH VERMA,
HON'BLE MEMBER (TECHNICAL)**

Date of Order: 2nd July, 2024

Attendance-Cum-Order Sheet of the Hearing.

NAME OF THE COMPANY	SMALL INDUSTRIES DEVELOPMENT BANK OF INDIA V/S SUNIL KUMAR SHARMA
UNDER SECTION	95(1) IBC

COUNSEL APPEARED THROUGH PHYSICAL/ VIRTUAL HEARING:

Ms. Parul, Adv. : *For the RP, Mr. Harish Taneja
present in person*

Sh. R.P. Agarwal, Sr. Adv. assisted by : *For the Personal Guarantor*
Sh. Abhishek Tripathi, Adv.

ORDER

Ld. Counsels representing the parties are present.

- 1.** In this case, the preliminary objection has been raised by the Ld. Sr. Counsel for the Personal Guarantor that the demand notice, which was intended to be served upon the Personal Guarantor on the postal address as available on record of the Personal Guarantor, has not been served at the prescribed address.
- 2.** The Ld. Counsel representing the Financial Creditor states that rejoinder to the preliminary objection raised by the Personal Guarantor has been filed on the e-portal of this Tribunal on 07.06.2024, which however has been marked under defect on 11.06.2024, in which a communication sent by email has also been reflected. Ld. Sr. Counsel states that even the email is also not served on the email ID of Personal Guarantor but to the email ID of the Corporate Debtor.

-Sd-

-Sd-

3. Faced with this, the Ld. Counsel representing the Financial Creditor seeks one week time to remove the said defect and to ensure that the copy of the rejoinder comes on record.
4. Let the matter be adjourned for further hearing on 15th July, 2024.

-Sd-
(Ashish Verma)
Member (Technical)

-Sd-
(Praveen Gupta)
Member (Judicial)

2nd July, 2024

Kavya Prakash Srivastava
(Stenographer)