

IN THE NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD
DIVISION BENCH
COURT - 1

ITEM No.105
C.P.(IB)/61(AHM)2022

Proceedings under Section 95 IBC

IN THE MATTER OF:

State Bank of India

.....Applicant

V/s

Manoj Narendrakumar Patel

.....Respondent

Order delivered on: 28/06/2024

Coram:

Mr. Shammi Khan, Hon'ble Member(J)

Mr. Sameer Kakar, Hon'ble Member(T)

PRESENT:

For the SBI

: Mr. Mandeep Singh Saluja, Advocate a/w.

: Mr. Rituraj Meena, Advocate

For the IRP

: Mr. Saurabh Rachchh, Advocate for

: Mr. Vinod Tarachand Agarawal

For the Respondent / PG

: Mr. Harmish Shah, Advocate

ORDER
(Hybrid Mode)

Vide order dated 31.01.2024, on statement of the Counsel for the respondent / personal guarantor the case was ordered to be transferred from Court No. 1 to Court No. 2 and meanwhile, case was adjourned as a sine-die. Later on, before the Joint Registrar a statement was made by the Counsel for the IRP that this case may not be transferred as the matter in Court No. 2 against the same personal guarantor is a different Corporate Debtor.

Further, as per the report of the Registry also the present case being CP (IB) No.61 of 2022 was filed against the Respondent/Personal Guarantor of Corporate Debtor namely **M/s. Maktel Control & System Pvt. Ltd.**, whereas in Court No. 2, the case

is pending in respect of the present Respondent/Personal Guarantor of corporate debtor **M/s. Maktel Power Ltd.** being CP (IB) No.138 of 2022.

Further, Corporate Debtor namely **M/s. Maktel Control & System Pvt. Ltd.** was admitted to CIRP CP (IB) No.499 of 2019 on 20.05.2019. Corporate Debtor namely **M/s. Maktel Power Ltd.** was admitted to CIRP CP (IB) No.482 of 2019 on 11.09.2020 by Court-2.

Therefore, in view of the statement of the Counsel for the RP, and perusal of the report of the Deputy Registrar dated 26.06.2024, we hereby recall the order dated 13.01.2024, and this matter is taken in up Court No.1.

We have heard the Learned Counsel for the applicant/FC, IRP as well Counsel for the Respondent/Personal Guarantor.

The order is reserved.

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**SAMEER KAKAR
MEMBER (TECHNICAL)**

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**SHAMMI KHAN
MEMBER (JUDICIAL)**