

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

ITEM No.106
C.P. (IB)/113(AHM)2024

Proceedings under Section 95 IBC

IN THE MATTER OF:

Chamunda Enterprise

.....Applicant

Vs

Pankaj Jayantilal Mehta & Ors.

.....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 Applicant :Mr. Jugal Haria, Adv (proxy)

For the Respondent :

For the ASREC : Mr. Sunil Kumar, Adv (ASREC India Ltd.)

ORDER
(Hybrid Mode)

This is an application filed by the Applicant/Operational Creditor under Section 95(1) of the Insolvency and Bankruptcy Code, 2016 for initiation of Insolvency Resolution Process in terms of in terms of Rule 7 of the Insolvency and Bankruptcy (Application to Adjudicating Authority for Insolvency Resolution Process for Personal Guarantors to Corporate Debtor) Rules, 2019 against the Respondent/Personal Guarantor of Corporate Debtor.

Mr. Jugal Haria, Adv (proxy) appears and confirms that no new affidavit has been filed by the applicant in support of the maintainability as per question raised by this Tribunal on 15.05.2024.

Heard Ld. Counsel for the Applicant/Operational Creditor as well as Ld. Counsel for ASREC India Ltd. on maintainability and perused the record.

The Applicant may file written submissions, if any within 3 working days.

Reserved for order.

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SAMEER KAKAR
MEMBER (TECHNICAL)

SHAMMI KHAN
MEMBER (JUDICIAL)