

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

ITEM No.109 – IA/697(AHM)2024
In
C.P.(IB)/201(AHM)2022

Proceedings under Section 95 IBC

IN THE MATTER OF:

State Bank of India

.....Applicant

V/s

Bhagwanbhai Talsibhai Bhoraniya

.....Respondent

Order delivered on: 01/07/2024

Coram:

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

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

PRESENT:

For the Applicant

:Mr. Atul Sharma, Advocate

For the Respondent/PG

:None

For the Financial Creditor

:Mr. Mandeep Singh Saluja, Advocate for Mr.
Rituraj Meena, Advocate

ORDER
(Hybrid Mode)

IA/697(AHM)2024

A Xerox copy of the service report affidavit has been filed by the Applicant today across the bar wherein postal receipts, tracking reports have been filed qua the service of notice upon the Respondent/Personal Guarantor as well as to the Corporate Debtor which reflects that notices were dispatched on 17.05.2024 and showing delivered on 20.05.2024 as per tracking report, in terms of order dated 30.04.2024.

Learned counsel for the applicant/IRP submits that the earlier service report affidavit has been dispatched by the IRP which is lost in transits. Hence, a fresh affidavit qua the service report has been filed and he is in a process to file the physical copy also.

Service was completed as per service report. However, neither the Respondent/Personal Guarantor as well as the Corporate Debtor appeared on the previous date of hearing on 11.06.2024 nor filed any reply. Even today also no one appears for the Respondent/Personal Guarantor as well as the Corporate Debtor.

Let original service report copy be filed. Last and final opportunity is given to the Respondent/Personal Guarantor as well as the Corporate Debtor for appearance and filing reply, if any, within a week with advance copy to the opposite side. Thereafter, rejoinder, if any, be filed within a week.

Re-list for further consideration on 12.07.2024.

Sd/-

SAMEER KAKAR
MEMBER (TECHNICAL)

Sd/-

SHAMMI KHAN
MEMBER (JUDICIAL)