

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

ITEM No. 111 – IA/848(AHM)2024
In
C.P.(IB)/124(AHM)2024

Proceedings under Section 95 IBC

IN THE MATTER OF:

State Bank Of India
Vs
Ramniwas Dhoot

.....Applicant

.....Respondent

Order delivered on: 15/07/2024

Coram:

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

PRESENT:

For the Applicant/RP : Mr. Bhupendra Dave, Advocate
For the FC : Ms. Vishwa Shah, Proxy Advocate for
: Mr. Neeraj Vasu, Advocate
For the PG : Mr. Nausher Kohli, Advocate

ORDER
(Hybrid Mode)

In pursuance to the notice issued by this Tribunal, service report has been filed by the applicant / IRP on 26.06.2024 vide inward diary No. 5013 qua service upon personal guarantor as well as all the financial creditors stated to be involved in the matter.

It reflects that the notices sent through registered post showing delivered upon the personal guarantor as well as the other financial creditor on 18.06.2024, 19.06.2024, 20.06.2024 and 21.06.2024. In view of above, service is complete.

Today, Respondent / Personal Guarantor appeared through Advocate and stated that the preliminary reply to present IA has been filed on 12.07.2024 through E-mode and in process to file the hard copy also.

He further pointed out that he could not be able to file detail reply as the main paper book of CP (IB) 124/2024 was not served by the applicant / Financial creditor or by the IRP. The E-mail ID mentioned in advance copy service is not an E-mail ID of the Personal Guarantor.

Further, Ms. Vishwa Shah, Proxy Advocate for Mr. Neeraj Vasu, Advocate state that she appeared for Indian Bank and Indian Bank has nothing to do with the personal guarantee of the present respondent guarantor in this matter.

The Financial Creditor / IRP is directed to serve the complete paper book being CP (IB) No. 124/2024 upon the Respondent/personal guarantor within a period of three days. Further, liberty to the Respondent/Personal Guarantor to file detail reply, if any, within an extended period of 7 days from the date of receipt of the paper book. Thereafter, rejoinder, if any, be filed within a period of 7 days.

Applicant / IRP is directed to inform this order to Financial Creditor as well as to its learned Counsel.

Re-list on 23.08.2024.

-Sd-
SAMEER KAKAR
MEMBER (TECHNICAL)

-Sd-
SHAMMI KHAN
MEMBER (JUDICIAL)