

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

ITEM No.222 – Rst. App/16(AHM)2024  
In  
C.P.(IB)/129(AHM)2023

**Proceedings under Section 7 IBC**

**IN THE MATTER OF:**

Yoginkumar Ashokbhai Patel

.....Applicant

Vs.

Manpasand Beverages Limited

.....Respondent

**Order delivered on: 03/07/2024**

**Coram:**

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

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

**PRESENT:**

For the Applicant : Mr. Abhishek Devgan, Advocate

For the Respondent : None

**ORDER**  
**(Hybrid Mode)**

**Rst. App/16(AHM)2024**

Now, the physical copy of the service report has been filed on 03.07.2024 vide inward diary No. 4963 which reflects that notice which was sent through Regd. A.D. Post. on 20.06.2024 delivered on 24.06.2024 and through E-mail was showing delivered on 20.06.2024. Service is considered sufficient and completed.

Despite deemed service neither anyone has appeared on the last date of hearing nor today. Learned Counsel Ms. Hirva Dave, who appeared in the main matter in the past for the Respondent, states that no objection has already been given to the client and they are no more counsel for the respondent in the matter.

On perusal of the order dated 01.05.2024 passed by this Tribunal reflects that liberty was given to applicant to file claim before the concerned RP as per the law while disposing of the CP (IB) No. 129/2023 as Corporate Debtor was already admitted to CIRP on 11.09.2023 in another CP (IB) No. 847/2019.

Since, the order dated 11.09.2023 passed by this Tribunal against the Respondent / Corporate Debtor in CP (IB) No. 847/2019 has been set aside by the Hon'ble NCLAT

on 28.05.2024 in view of the settlement arrived between the parties in that matter vide Company Appeal No. 1205/2023.

Therefore, restoration application being **Rst. App/16(AHM)2024** is allowed and CP (IB) No.129/2023 as well as IA/1349/2023 are restored on board.

**CP (IB) No. 129/2023 as well as IA/1349/2023**

Let fresh notice be issued both the CP (IB) and IA to the Respondent by the Registry, returnable by next date. The Applicant is directed to collect the notice from the Registry within three days and serve upon the Respondent along with copy of this order through Registered Ad post / Speed-post, Dasti mode as well as on the registered email ID of the Respondent registered with the MCA within seven days.

Proof of Service be filed by way of an affidavit before the next date of hearing.

List the both matters for further consideration on 12.08.2024.

**-Sd-  
SAMEER KAKAR  
MEMBER (TECHNICAL)**

**-Sd-  
SHAMMI KHAN  
MEMBER (JUDICIAL)**