

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

ITEM No.4- IA/1089(AHM) 2024  
ITEM No. 5- IA/1098(AHM) 2024  
In  
C.P.(IB)/217(AHM)2023

**Proceedings under Section 95 IBC**

**IN THE MATTER OF:**

Small Industries Development Bank of India (SIDBI) .....Applicant  
VS  
Mr. Nilesh Shantilal Patel - Personal Guarantor to M/s Balaji .....Respondent  
Fiber Reinforce Private Limited

**Order delivered on: 24/07/2024**

**Coram:**

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

**PRESENT:**

For the Applicant / RP : Mr. Vinodkumar Shah, PCS  
(RP In Person)  
: Mr. Sumit Parikh, Advocate in (IA/1098(AHM) 2024)  
For the Respondent :

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

**IA/1089(AHM) 2024**

This is an application filed by the RP to place on record the 3<sup>rd</sup> Progress Report for the period ending on 30.06.2024 pursuant to order dated 22.03.2024 passed in C.P.(IB)/217(AHM)2023 read with regulation 11 of NCLT rules 2016. The same is taken on record, with all just exceptions.

Place report with main file for further reference.

Accordingly, **IA/1089(AHM) 2024** stands disposed off.

**IA/1098(AHM) 2024**

This is an application filed by the Union Bank of India seeking the following prayers:

*a. That this Hon'ble Tribunal may be pleased to allow the present application;*

- b. That this Hon'ble Tribunal may be pleased to direct the Resolution Professional of the Personal Guarantor, to Consider the Claim of the applicant being the Secured Financial Creditor;*
- c. That this Hon'ble Tribunal may be please to Condon the day of 56 days for the submission of Claim to the RP;*
- d. That this Hon'ble Tribunal may please to stay the entire Initiation of Insolvency Resolution Process against the Personal Guarantor of Mr. Nilesh Shantilal Patel till the final outcome of this subject matter.*
- e. That This Hon'ble Tribunal may be pleased to pass necessary direction in the interest of justice;*

Learned RP, Mr. Vinodkumar Shah, appears in person and states that a reply has been e-filed in the matter, and the hard copy was submitted to this Tribunal yesterday, i.e., 23.07.2024. However, the Registry is unable to locate the same and place before us.

The Registry is directed to place on record the same.

Learned RP further states that he has no objection if this application is allowed.

Learned Counsel, Mr. Sumit Parikh, appearing on behalf of the Union Bank of India, states that he is in a receipt of the reply in the matter and does not wish to file a rejoinder in the matter.

This matter is hereby deferred as the hard copy of the reply is not available on record.

Re-list for further consideration on 07.08.2024.

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**SAMEER KAKAR**  
**MEMBER (TECHNICAL)**

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**PRAVEEN GUPTA**  
**MEMBER (JUDICIAL)**