

IN THE NATIONAL COMPANY LAW TRIBUNAL, AHMEDABAD
COURT - 1

ITEM No 4
C.P.(IB)/205(AHM)2021

Order under Section 94 IBC

IN THE MATTER OF:

Khodabhai Ghusabhai Thumar

.....Applicant

V/s

Premraj Ramratan Laddha Liquidator of Corporate Debtor

.....Respondent

Order delivered on ..17/11/2021

Coram:

Madan B. Gosavi, Hon'ble Member(J)

Ajai Das Mehrotra, Hon'ble Member(T)

PRESENT:

For the Applicant : Learned Counsel, Mr. Rajesh Bohra, Learned Counsel,
Ms. Sangeeta Bohra

For the Respondent :

ORDER

This application is filed under Section 94 of the Code seeking initiation of CIRP against the personal guarantor of the Corporate Debtor.

It is brought to our notice that Court-2 has passed the order wherein the maintainability of this application itself has been challenged. However, we are bound by the provisions of Section 97 of IBC, 2016 to issue Interim Moratorium.

Learned Counsel for the Applicant states that present application is filed through RP and declaration as mentioned in Section 97 of Code with respect to no disciplinary proceedings being pending against the RP is also obtained.


Interim Moratorium under Section 96 of the Code shall commence from the date of application. The RP, as suggested by the Applicant, **Mrs. Anjali Nirav Choksi** Registration No. **IBBI/IPA-001/IP-P00165/2017-18/10334** is directed to file report within one month.

Matter stands adjourned to 04.01.2022.



(AJAI DAS MEHROTRA)
MEMBER (TECHNICAL)

Braj Mohan



(MADAN B GOSAVI)
MEMBER (JUDICIAL)