

**NATIONAL COMPANY LAW TRIBUNAL**  
**MUMBAI BENCH, COURT-II**

19. C.P.(IB)-325(MB)/2024

**CORAM:**

**SHRI ANIL RAJ CHELLAN**  
**HON'BLE MEMBER (T)**

**SHRI KULDIP KUMAR KAREER**  
**HON'BLE MEMBER (J)**

**ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE  
NATIONAL COMPANY LAW TRIBUNAL ON 02.07.2024**

**NAME OF THE PARTIES: - Livfin India Private Limited**  
**V/s**  
**Rajesh Uttamchandani**

**Section: U/s 95(1) of the Insolvency and Bankruptcy Code, 2016**

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**ORDER**

Adv. Rohit Kumar appeared for the Petitioner/ Financial Creditor through VC. Adv. Bhanu Chopra a/w Adv. C G Shanker a/w Adv. Darshan Suvarna appeared for the Respondent/Personal Guarantor.

It has been pointed out by the counsel for the Respondent/ Personal Guarantor that in C.P.(IB)106 (MB) 2024 under Section 95 of the IBC filed by Unity Small Finance Bank Limited, against the Respondent/ Personal Guarantor, RP has already been appointed vide order dated 19.03.2024. In the light of the said order passed in C.P.(IB)106 (MB) 2024, which has been filed prior to the present one, the present Petition under Section 95 against the same Personal Guarantor cannot survive and has been rendered infructuous. Accordingly, **C.P.(IB)-325(MB)2024 is disposed of having become infructuous.** However, the Petitioner is at liberty to file its claim, if any, in the said CP. The petitioner shall further be at liberty to get this Petition revived in case the C.P.(IB)106(MB)2024 is dismissed. The file be closed and consigned.

**Sd/-**  
**ANIL RAJ CHELLAN**  
**Member (Technical)**

*JAGDISH*

**Sd/-**  
**KULDIP KUMAR KAREER**  
**Member (Judicial)**