

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, COURT-II

33. C.P.(IB)-1025(MB)/2022

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 20.06.2024**

NAME OF THE PARTIES: - IL&FS Financial Services Limited

V/s.

Unmesh Manohar Joshi

Section: 95(1) of Insolvency and Bankruptcy Code,2016.

ORDER

Adv. Akash Jain appeared for the Petitioner. Adv. Akshay Patil a/w Neha Patil appeared for the Respondent/Personal Guarantor. It has been pointed out that a Company Petition bearing no. CP(IB)708(MB)/2022 has been filed under Section 95(1) of the Insolvency and Bankruptcy Code, 2016 against the same Personal Guarantor which is pending before this Bench and the RP has already been appointed by the Bench vide order dated 28.08.2023. In the light of the fact that the proceedings under Section 95(1) of the Insolvency and Bankruptcy Code, 2016 are already pending before this Bench, the present Company petition does not survive any further.

Accordingly, **C.P.(IB)-1025(MB)/2022 stands closed having become infructuous** with liberty to the Petitioner to file his claim in the said process. Further, Petitioner is also at liberty to get the present Petition revived in the event of the dismissal of the said Company Petition.

Sd/-

ANIL RAJ CHELLAN

Member (Technical)

SUSHIL

Sd/-

KULDIP KUMAR KAREER

Member (Judicial)