

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, COURT-II

32. IA 1372/2024 IN C.P.(IB)/998(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: - Kishan Gopal Agarwal Vs. Marwah
Finance Private Limited
IN THE MATTER OF
Marwah Finance Private Limited
V/s
Kishan Gopal Agarwal**

**Section: Rule 11 of NCLT, 2016 U/s 95(1) of Insolvency and Bankruptcy
Code, 2016.**

ORDER

IA No. 1372/2024:- Adv. Ricky appeared for the Personal Guarantor. Adv. Kartikee Korganokar appeared for the Resolution Professional. The present application has been filed by the Personal Guarantor to recall the order dated 16.01.2024 for appointment of the Mr. Mahesh Surekha as Resolution Professional. It has been stated in the application that some settlement talks are going on between the Financial Creditor and the Personal Guarantor, the order for the appointment of Resolution Professional may be recalled.

Having considered the matter, we are of the view that since the RP has already been appointed in this matter, the order dated 16.01.2024 appointing an

IRP cannot be recalled. Therefore, **IA No. 1372/2024 is dismissed as disposed of** being devoid of any merits. It has further been pointed out that the reply/objection against the RP report has already been filed by the Personal Guarantor. Counsel for the Financial Creditor is directed to file rejoinder, if any, well before the next date of hearing. List the matter on **13.08.2024** for final hearing.

Sd/-

ANIL RAJ CHELLAN

Member (Technical)

SUSHIL

Sd/-

KULDIP KUMAR KAREER

Member (Judicial)