

**IN THE NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH – 1
VC AND PHYSICAL (HYBRID) MODE
ATTENDANCE CUM ORDER SHEET OF THE HEARING HELD ON
24-06-2024 AT 10:30 AM**

CP (IB) No. 127/95/HDB/2022

AND

**IA (IBC) 1294/2024 in IA 05/2024 in IA 587/2023, IA (IBC) 1295/2024 in IA 1791/2023
in IA 587/2023 & IA (IBC) 1296/2024 in IA 587/2023 in
CP (IB) No. 127/95/HDB/2022
u/s. 95 of IBC, 2016**

IN THE MATTER OF:

State Bank of India

...Petitioner

AND

Mr. T Devender (Chadalavada Infratech Limited)

...Respondent

C O R A M:-

**DR. VENKATA RAMAKRISHNA BADARINATH NANDULA, HON'BLE MEMBER (JUDICIAL)
SH. CHARAN SINGH, HON'BLE MEMBER (TECHNICAL)**

ORDER

IA (IBC) 1294/2024 in IA 05/2024 in IA 587/2023

Learned Counsel Mr Y Suryanarayana along with Smt Sandhya Rani and the counsel on record Mr V Raghunath, for applicant present physically.

Before we could order notice in this application Mr Maligi Madhusudhan Reddy, Resolution Professional and learned counsel Mr D Suryanarayana Raju, for Financial Creditor present and have taken notice.

Learned Counsel Mr Y Suryanarayana, for Personal Guarantor submits that the Personal Guarantor had no notice in IA 05/2023 in IA 587/2023, as such the order passed in IA 05/2024 in IA 587/2023 needs to be re-called.

However, learned Resolution Professional had invited out attention to the orders of this Court dated 02.01.2024,08.01.2024 and 07.02.2024 and contended that there was clear notice to the Personal Guarantor at very stage, and Advocate V Raghunath also represented the Personal Guarantor.

Learned Counsel Mr D Suryanarayana Raju for Financial Creditor reiterated the same submissions and stated that this application is not maintainable, the question of filing any counter in this application does not arise, and the application be dismissed.

For orders on 19.07.2024.

IA (IBC) 1295/2024 in IA 1791/2023 in IA 587/2023

Learned Counsel Mr Y Suryanarayana along with Smt Sandhya Rani and the counsel on record Mr V Raghunath, for applicant present physically.

Before we could order notice in this application Mr Maligi Madhusudhan Reddy, Resolution Professional and learned counsel Mr D Suryanarayana Raju, for Financial Creditor present and have taken notice.

Learned Counsel Mr Y Suryanarayana, for Personal Guarantor submits that the Personal Guarantor had no notice in IA 1791/2023 in IA 587/2023, as such the order passed in IA 1791/2023 in IA 587/2023 needs to be re-called.

However, learned Resolution Professional had invited out attention to the orders of this Court dated 02.01.2024,08.01.2024 and 07.02.2024 and contended that there was clear notice to the Personal Guarantor at very stage, and Advocate V Raghunath also represented the Personal Guarantor.

Learned Counsel Mr D Suryanarayana Raju for Financial Creditor reiterated the same submissions and stated that this application is not maintainable, the question of filing any counter in this application does not arise, and the application be dismissed.

For orders on 19.07.2024.

IA (IBC) 1296/2024 in IA 587/2023

Heard. **For orders on 19.07.2024.**

Sd/-

MEMBER (T)

Sd/-

MEMBER (J)