

IN THE NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH (COURT – II)
(Through Hybrid Mode)

Item No. 2
C.P. (IB)/91(CH)2024

IN THE MATTER OF:

Indian Bank ... **Petitioner**

Versus

Shyam Gupta ... **Respondent**

Under Section: 95(1), IBC 2016

Order delivered on 18.04.2024

CORAM:

SHRI. UMESH KUMAR SHUKLA,
HON'BLE MEMBER (T)

SHRI. HARNAM SINGH THAKUR,
HON'BLE MEMBER (J)

PRESENT:

For the Petitioner- : Mr. Amod K. Dalela, Advocate
Indian Bank

ORDER

In Column No.IV in Part-III of the application, the date of default is mentioned as 22.12.2015 whereas, the date of NPA is mentioned as 30.06.2014. Ld. counsel for the petitioner is stated that this difference was due the reason that the loan was restructured, but there is no document placed on record by the petitioner. Therefore, Ld. counsel for the petitioner-bank is directed to clarify this issue of date of default and limitation of the present petition. Ld. counsel for the petitioner is also directed to tell the reason as to why bank has not proceeded against the main borrower i.e. corporate debtor since April, 2014, when the account was declared as NPA. He is directed to file short note to that effect.

Let this matter be listed on 28.05.2024 in the supplementary list.

Sd/-

Sd/-

(UMESH KUMAR SHUKLA)
HON'BLE MEMBER (T)

(HARNAM SINGH THAKUR)
HON'BLE MEMBER (J)