

IN THE NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH (COURT- II)

Item No. 204
(IB)-221/ND/2022
IA-2987/2022

IN THE MATTER OF:

PNB Housing Finance Ltd.

... Applicant/Petitioner

Versus

Mr. Ashok Kumar Gupta

...

Respondent

Under Section: 95(1) of IBC, 2016

Order delivered on 04.06.2024

CORAM:

SH. ASHOK KUMAR BHARDWAJ
HON'BLE MEMBER (J)

SH. SUBRATA KUMAR DASH
HON'BLE MEMBER (T)

PRESENT:

For the Applicant :

For the RP : Adv. Anil Kumar, Adv. Gunjesh Ranjan, Adv.
Prabhat Ranjan, Adv. Sidharth Jaiswal

Hearing Through: VC and Physical (Hybrid) Mode

ORDER

IA-2987/2022: Ld. Counsel appearing for the Personal Guarantor submitted that with reference to CIRP commenced qua Principal Borrower, the matter is pending before the Hon'ble NCLAT, and the Creditor and Principal Borrower are in talks to arrive at some settlement regarding the amount of financial facility/debt, qua which the Respondent herein before us stood as Personal Guarantor. According to him, the next date of hearing before Hon'ble NCLAT is 03.07.2024. In the wake, let the present application be listed on 16.07.2024.

It is made clear that no request for adjournment to be entertained on the next date of the hearing, for the simple reason that in terms of the Judgment of Hon'ble Supreme Court in ***Lalit Kumar Jain Vs. Union of India [(2021) 9 SCC 321]***, the settlement entered into by the Principal Borrower may not be ground to absolved the Personal Guarantor from his liabilities.

List on 16.07.2024.

Sd/-
(SUBRATA KUMAR DASH)
MEMBER (T)

Sd/-
(ASHOK KUMAR BHARDWAJ)
MEMBER (J)