

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

Item No. 215
IB-332/ND/2022
IA- 332/2024, IA-1729/2024

IN THE MATTER OF:
Karur Vysya Bank

... **Applicant/Petitioner**

Versus

Homi

... **Respondent**

Under Section: 95(1) of IBC, 2016

Order delivered on 01.05.2024

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. Animesh Khandelwal, Adv. Rashi Gupta,
Adv. Fuzail

For the PG : Adv. Abhishek Anand, Adv. Sikhar Tiwari

Hearing Through: VC and Physical (Hybrid) Mode

ORDER

IA-332/2024: Mr. Abhishek Anand, Ld. Counsel appearing for the Personal Guarantor pointed out that in the order dated 29.02.2024, though his presence has been marked for the Personal Guarantor, but the order is reflecting that there was no appearance on behalf of the PG and the proceedings qua him are set ex parte. He explained that the mistake could take place, as a clerical error by pasting the order passed IA-1924/2023, also in the present application. In any case, the mistake is directed to be rectified and the sentence “there is no appearance on behalf of the PG, thus the proceedings qua him are set ex-parte” is directed to be deleted from the order dated 29.02.2024.

Mr. Abhishek Anand further submitted that the copy of the report filed under Section 99 of IBC, 2016, has not been served upon him. Mr. Animesh Khandelwal, Ld. Counsel appearing for the RP undertakes to make a copy of the report available to him during the course of the day.

IA-1729/2024: As it appears from the tenor of the application, the same is wrongly listed against IB-332/ND/2022. The registry is directed to ensure that the application is listed appropriately.

List on 29.05.2024.

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

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