

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

Item No. 203
(IB)-503(PB)/2021

IN THE MATTER OF:

State Bank of India
(Through RP Mr. Harvinder Singh)
Versus

... **Applicant/Petitioner**

Mr. Kapil Gupta

... **Respondent**

Under Section: 95(1) of IBC, 2016

Order delivered on 17.05.2023

CORAM:

SHRI. ASHOK KUMAR BHARDWAJ,
HON'BLE MEMBER (J)

SHRI. L. N. GUPTA,
HON'BLE MEMBER (T)

PRESENT:

For the Applicant :

For the Respondent :

ORDER

The Applicant herein i.e., State Bank of India has moved the present application against Personal Guarantor to Corporate Debtor Mr. Kapil Gupta under Section 95(1) of the IBC, 2016 with a prayer to initiate the IR process and appoint an RP. The Applicant has served the copy of the demand notice and also it has invoked the guarantee vide legal notice dated 18.05.2023. According to the Ld. Counsel, the invocation of guarantee is placed on record with the application.

As per the provision of the Law, on the filing of this application, the interim moratorium has already commenced as stipulated under Section 96(1)(a) of IBC, in relation to all debts of the Personal Guarantor.

As proposed by the Applicant/Guarantor, this Bench appoints Mr. Harvinder Singh (Email ID: harvinder@akgandassociates.com) as Resolution Professional, whose details are given below:

IBBI Registration No. : IBBI/IPA001/IP-P000463/2017-18/10806
E-mail Address : harvinder@akgandassociates.com
Contact Number : 9810046631, 011-27011986

The Resolution Professional so appointed shall exercise all the powers as stipulated under Section 99 of IBC, 2016 read with Rules made there

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under. He is directed to examine the application and make recommendations with reasons in writing for acceptance or rejection of the present application within the time stipulated under Section 99 of IBC, 2016.

The Resolution Professional shall give a copy of its Report to the Applicant as well as the Creditors of the Applicant as soon as the same is filed before this Authority.

The Applicant and his counsel are directed to serve a copy of this order along with a copy of the application and documents immediately to Mr. Harvinder Singh, Resolution Professional by all modes for information and necessary compliance.

The Court Officer is also directed to inform the RP by E-mail.

List the matter on 25.07.2023.



**(L. N. GUPTA)
MEMBER (T)**



**(ASHOK KUMAR BHARDWAJ)
MEMBER (J)**