

**NATIONAL COMPANY LAW TRIBUNAL
JAIPUR BENCH**
(through web-based video conferencing platform)

Item No. 01
CP No. (IB)- 33/95/JPR/2024
Under Section 95 of IBC, 2016

In the matter of:

Tata Capital Ltd.

... Financial Creditor

Versus

Ganesh Kumar Agarwal (PG to CD)- M/S Vinayak Metasteel Pvt. Ltd.)

...Personal Guarantor

**Coram: HON'BLE MR. DEEP CHANDRA JOSHI, JUDICIAL MEMBER
HON'BLE MR. RAJEEV MEHROTRA, TECHNICAL MEMBER**

Present Through Video Conferencing: -

For the Applicant : Diya Sodhi, Adv.

For the Respondent : Akarsh Mathur, Adv.

ORDER

Heard Ms. Diya Sodhi, Adv. appearing on behalf of the Petitioner. The present application has been filed u/s 95 of IBC, 2016 against the personal guarantor of M/s Vinayak Metasteel Pvt. Ltd. Application is complete with all respect. Mr. Akarsh Mathur, Adv. appearing on behalf of the Respondent submits that demand notice under Form-B was not served to the Respondent at their address where he normally resides. Proof of service of Form-B has been attached with the Application. Learned counsel for the Respondent can raise his objection at appropriate time. It is stated by learned counsel for the Petitioner that the consent letter from Mr. Manish Kumar Bhagat proposed RP has been received.

Submissions heard; Order reserved for appointment of RP.

Sdr

(Rajeev Mehrotra)
Technical Member

Sdr

(Deep Chandra Joshi)
Judicial Member

April 24, 2024

M.S.