

**NATIONAL COMPANY LAW TRIBUNAL  
GUWAHATI BENCH  
GUWAHATI**

**ORDER SHEET OF THE HEARING ON 18<sup>th</sup> APRIL, 2024, 10:30 A.M.**

**IA (IBC)/9/GB/2024  
IA (IBC)/115/GB/2023  
In CP (IB)/17/GB/2022**

**Present: 1. Hon'ble Member (Judicial), Shri H.V. Subba Rao  
2. Hon'ble Member (Technical), Shri Satya Ranjan Prasad**

<b>IN THE MATTER OF</b>	Indian Bank Vs Deshraj Bapanas
<b>UNDER SECTION</b>	U/s 95 & R/w Section 60(5) of IBC, 2016

For Petitioner (s)	: Mr. Subrata Dutta, Adv. --- CP (IB)/17/GB/2022 Mr. A.K. Rai, Adv. --- IA (IBC)/115/GB/2023	
For Respondent (s)	: Mr. A.K. Rai, Adv. --- CP (IB)/17/GB/2022 Mr. Subrata Dutta, Adv. --- IA (IBC)/9/GB/2024	
RP	: Mr. Ujwal Kumar Kalita, in person	

**ORDER**

**CP (IB)/17/GB/2022**

Learned Resolution Professional Mr. Ujwal Kumar Kalita is present in person and both sides Counsel are present. List the main CP on the date of the pronouncement of order in relation to IA (IBC)/115/GB/2023 and IA (IBC)/9/GB/2024. List the main CP on **13.05.2024**.

**IA (IBC)/115/GB/2023**

The above IA is filed by the Respondent/ Personal Guarantor for seeking following reliefs: -

*“1. Send Annex No. I-M Page 88, Annex No. I-M (2) Page 100, Annex No. I- N (3) Page 104 i.e. 3 Documents to the handwriting expert/forensic expert for comparison and verification of the signature of the Respondent with the admitted signature of the Respondent upon the Vakalatnama, Affidavit in Opposition filed before this*

*Hon'ble Tribunal and further be pleased to direct the expert to submit a report before this Hon'ble Court for the ends of justice.”*

Heard both sides. **Reserve for Order.**

**IA (IBC)/9/GB/2024**

The above IA is filed by the Resolution Professional for taking his report, recommending dismissal of the C.P. filed by the Financial Creditor against the Personal Guarantor under Section 95 of the Code due to non-service of the demand notice on the Personal Guarantor. The Financial Creditor has filed his affidavit in reply by way of opposing the report of the Resolution Professional.

Heard both sides. **Reserve for Order.**

Sd/-

**Satya Ranjan Prasad**  
**Member (Technical)**

Sd/-

**H.V. Subba Rao**  
**Member (Judicial)**