IN THE NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD
DIVISION BENCH
COURT - I

ITEM No.302

C.P.(IB)/180(AHM)2023

Proceedings under Section 95 IBC

IN THE MATTER OF:

MANTENA INFRASOL PRIVATE LIMITED **.....Applicant**
VS
NILESH SHANTILAL PATEL **.....Respondent**

Order delivered on 02/04/2024

Coram:

Mr. Shammi Khan, Hon'ble Member(J)
Mr. Sameer Kakar, Hon,ble Member(T)

PRESENT:

For the Applicant :
For the Respondent :

ORDER

The case is fixed for the pronouncement of the order. The order is pronounced in the open court, vide separate sheet.

-sd-
SAMEER KAKAR
MEMBER (TECHNICAL)

-sd-
SHAMMI KHAN
MEMBER (JUDICIAL)

BEFORE THE ADJUDICATING AUTHORITY
THE NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH – I, AHMEDABAD

CP (IB) No.180/AHM/2023

[Application under Section 95 of the IB Code, 2016 r.w. Rule 7 (1) of the Insolvency and Bankruptcy (Application to Adjudicating Authority for Insolvency Resolution Process for Personal Guarantor to Corporate Debtor) Rules, 2019*]*

In the matter of ***Mr. Nileshbhai Shantilal Patel***

Mantena Infrasol Private Limited
D- No. 2-5568/338/12A, Mantena House
Opp. MVV Courtyard, Khanamet
Madhapur, Hyderabad
Telangana 500 081

...Petitioner/Creditor

VERSUS

Nileshbhai Shantilal Patel
4, Soham Bunglow-3, BH Palmview Apt.
Opp. Shobhana Nagar, Vasna Road,
Vadodara 390007
Email id: nilesh@bfrpl.com

...Respondent/Personal Guarantor

Order Pronounced on 02.04.2024

CORAM:

SH. SHAMMI KHAN, MEMBER (JUDICIAL)

SH. SAMEER KAKAR, MEMBER

(TECHNICAL)

APPEARANCE:

For the Applicant : Mr. Huzaifa Salim, Advocate
For the Respondent : Mr. Jaimin Dave, Advocate a.w.
: Ms. Hirva Dave, Advocate

O R D E R

1. This application has been filed under Section 95(1) of the Insolvency and Bankruptcy Code, 2016 *r.w.* Rule 7 (1) of the Insolvency and Bankruptcy (Application to Adjudicating Authority for Insolvency Resolution Process for Personal Guarantor to Corporate Debtor) Rules, 2019 by Applicant/Financial Creditor for initiation of Insolvency Resolution Process against **Mr. Nilesh Shantilal Patel** the Personal Respondent/Guarantor of Balaji Fiber Reinforce, the Corporate Debtor.

2. However, this Tribunal vide order dated 22.03.2024 has already passed order U/s 100 of the IBC, 2016 against the above same Respondent/Guarantor in another **CP (IB) No.217/AHM/2023** titled as **Small Industries Development Bank of India (SIDBI) Vs Mr. Nilesh Shantilal Patel – Person Guarantor to M/s. Balaji Fiber Reinforce Private Limited** filed under Section 95(1) of

the Insolvency and Bankruptcy Code, 2016.

3. Therefore, present **CP (IB) No.180/AHM/2023** has rendered infructuous and is dismissed with liberty to the Applicant/Creditor to file its claim before the concerned RP in accordance with law.

-sd-
SAMEER KAKAR
MEMBER (TECHNICAL)

-sd-
SHAMMI KHAN
MEMBER (JUDICIAL)

Vinit Patel- Steno