

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

ITEM No.102-IA/448(AHM)2024  
in  
**CP(IB)/91(AHM)2024**

**Proceedings under Section 94 IBC**

**IN THE MATTER OF:**

JAYANTILAL TRIKAMBHAI VAGHELA

.....Applicant

Vs

THE SOUTH INDIAN BANK LIMITED & Anr.

.....Respondent

**Order delivered on 19/04/2024**

**Coram:**

**Mr. Shammi Khan, Hon'ble Member(J)**

**Mr. Sameer Kakar, Hon'ble Member(T)**

**PRESENT:**

For the Applicant/RP : Mr. Vinod Kumar Shah, (PCS)

For the Respondent/ FC : Mr. Sneh R Purohit, Adv

For the PG : Mr. Kuldeep K. Adesara, Adv.

For the RP of CD :Mr. Chirag Singh

**ORDER**

Service report has been filed by the applicant RP for the service upon Financial Creditor, Personal Guarantor as well as to the Corporate Debtor on 08.04.2024 vide inward diary no. 2780 which is taken on record. Service is complete as per report.

Ld. Counsel for FC states that reply has been filed in Main CP of the personal guarantor i.e **CP/35of 2024** which is filed on 05.04.2024 but no rejoinder has been filed by the personal guarantor.

Ld. Counsel for the Financial Creditor has objected to the admission of this petition under Section 94 of the IBC on the ground that the matter is covered to the Judgment of Hon'ble NCLAT rendered in case of AmanJyot Singh Vs. Navneet Kumar Jain and others.

Let copy of this reply also be served upon the IRP by the Respondent Financial Creditor within 3 days.

Thereafter rejoinder if any be filed within 7 days with advance copy of the opposite sides.

Re-list on- 14.05.2024.

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**SAMEER KAKAR**  
**MEMBER (TECHNICAL)**

**SHAMMI KHAN**  
**MEMBER (JUDICIAL)**