

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

ITEM No.112
CP(IB)/76(AHM)2021

Proceedings under Section 95 IBC

IN THE MATTER OF:

State Bank of India
V/s
Amit Dinesh Patel
(Personal Guarantor)

.....Applicant

.....Respondent

Order delivered on 01/05/2024

Coram:

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

PRESENT:

For the Applicant : Mr. Devang Nanavati, Senior Advocate a. w. Ms. Nitu
Chaturvedi, Advocate & Mr. Aditya Raval, Advocate
For the Respondent : Mr. Arjun Sheth, Adv. a.w Mr. Rajeev Chawla, Adv.

ORDER

In continuation of submissions today we have heard the remaining arguments of the learned counsel of the respondent guarantor and rebuttal learned senior counsel for the applicant Financial Creditor.

During the course of hearing the counsel for the Applicant/Financial Creditor has shown copy of the letter dated 31.06.018 issued by Respondent Guarantor addressed to the Applicant/Financial Creditor in which reference is given specifically to demand certificate dated 02.06.2018 which is a notice of invocation guarantee shown to have been delivered to the Respondent/ Guarantor.

Let copy of the same be filed by way of additional affidavit with advance copy to the Respondent/Guarantor with liberty to file counter response the same by the Respondent/Guarantor. Further on their asking both the parties are given liberty to file their short written submissions not more than 5 pages in terms of the oral submissions made by them along with citation referred within seven days.

Reserved for order.

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SAMEER KAKAR
MEMBER (TECHNICAL)

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SHAMMI KHAN
MEMBER (JUDICIAL)