

**IN THE NATIONAL COMPANY LAW TRIBUNAL**  
**AHMEDABAD**  
**DIVISION BENCH**  
**COURT - 1**

ITEM No.120  
C.P.(IB)/265(AHM)2022

**Proceedings under Section 95 IBC**

**IN THE MATTER OF:**

Piramal Capital & Housing Finance Ltd  
V/s  
Rupesh Paramanand Kotecha

.....Applicant

.....Respondent

**Order delivered on: 11/09/2023**

**Coram:**

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

**PRESENT:**

For the Applicant :  
For the Respondent :

**ORDER**

This is an application filed under Section 95 of the IBC, 2016 against the personal guarantor. Since the Constitutional Validity of Section 95 as regards initiation of insolvency resolution process against the personal guarantor is under challenge before the Hon'ble Supreme Court, the hearing of the matter is deferred to 12.12.2023.

-SD-

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

-SD-

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