

**IN THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH**

COURT – IV

23.

IA 4061(MB)2023 IN
C.P. (IB)/591(MB)2023

CORAM:

MS. ANU JAGMOHAN SINGH
MEMBER (Technical)

SHRI KISHORE VEMULAPALLI
MEMBER (Judicial)

ORDER SHEET OF THE HEARING HELD ON **31.10.2023**

NAME OF THE PARTIES:

Axis Trustee Services Limited
Vs
Kishore Biyani

SECTION: 95(1), 60(5) OF THE INSOLVENCY AND BANKRUPTCY CODE, 2016

ORDER

1. Mr. Chetan Kapadia, Ld. Senior Counsel a/w Mr. Ankit Lohia, Varun Nathani, Ms. Suchitra Valjee, Ms. Riya Kamdar, Ms. Rajvi Shah, Ld. Counsel for the Petitioner present. Mr. Gaurav Joshi, Ld. Senior Counsel a/w Mr. Shyam Kapadia, Mr. Harsh Moorjani, Ms. Petrushka Dasgupta, Ms. Krishna Baruah & Ms. Kewal Buddhev, Ld. Counsel for the Respondent present.
2. Heard both the counsel, without going into the merits of the case. This bench noticed that, the Insolvency Resolution Process against the Personal Guarantor u/s 95 of the IBC, 2016 is pending before the Hon'ble Supreme Court in the matter of "**Sanjay Singal & Anr. Vs. Union of India & Ors**". In "**WP(C)510 of 2022**".
3. In view of the aforesaid, we feel it appropriate to adjourn the matter sine-die. Hence, the matter is adjourned *sine-die*.

4. Liberty is given to the Petitioner mention the matter before this bench when the issue reaches a finality.

Sd/-
ANU JAGMOHAN SINGH
Member (Technical)

Sd/-
KISHORE VEMULAPALLI
Member (Judicial)