

NATIONAL COMPANY LAW TRIBUNAL  
COURT-V, MUMBAI BENCH

39. C.P. (IB)/331(MB)2022

CORAM:

SMT. ANURADHA SANJAY BHATIA,  
MEMBER (T)

SH. KULDIP KUMAR KAREER,  
MEMBER (J)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON **12.01.2023**.

NAME OF THE PARTIES: Vistra ITCL India Limited & Ors  
Vs.  
Rustom Bharucha

SECTION: 95(1) of IBC 2016

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**ORDER**

Adv. Viraj Parikh with Saurabh Pandya i/b Regstreet Law Advisors, appearing for the Applicant is present through virtual hearing. None appeared for the Respondent/Personal Guarantor.

Heard the counsel appearing for the applicant. The above company petition is filed by *Vistra ITCL India Limited & Ors* who is the Financial Creditor herein for initiation of Insolvency Resolution Process against the respondent who is the Personal Guarantor of the Corporate Debtor. Learned counsel appearing for the Petitioner invited the attention of this bench to the Demand Notice dated 24.06.2021 invoking the Guarantee against the Respondent and also invited the attention of this bench to the proof of delivery of the Demand Notice. The Petitioner also invited the attention to the Common Deed of Irrevocable and Unconditional Personal Guarantee dated 6 October 2016 executed between the parties. The Financial Creditor suggested the name of the Insolvency Professional.

After hearing the submissions and upon perusing the above documents, this Bench hereby appoints **Ms. Hiral Miten Shah** as Resolution Professional having Registration No. IBBI/IPA-001/IP-P00700/2017-2018/11255 to examine the

petition and file his report within 10 days from the date of communication of this order.

Registry is directed to communicate this order to the Resolution Professional immediately.

List this matter on **07.03.2023** for submission of the report by the RP.

Sd/-  
ANURADHA SANJAY BHATIA  
Member (Technical)

Sd/-  
KULDIP KUMAR KAREER  
Member (Judicial)

/z/