

**NATIONAL COMPANY LAW TRIBUNAL**  
**MUMBAI BENCH, COURT-II**

**35. IA 798/2024 In C.P. (IB)-899(MB)2023**

**CORAM:**

**SHRI ANIL RAJ CHELLAN**  
**HON'BLE MEMBER (T)**

**SHRI KULDIP KUMAR KAREER**  
**HON'BLE MEMBER (J)**

**ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE  
NATIONAL COMPANY LAW TRIBUNAL ON 23.04.2024**

**NAME OF THE PARTIES: - SHEKHAR ARVIND PARKHI**  
**IN THE MATTER OF**  
**Small Industries Development**  
**Bank of India**  
**V/s**  
**Umesh Prahalad Deshpande**

**Section: Application under any other provisions- IBC U/s 95(1) of  
(IBC)**

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**ORDER**

Adv. Narendra Singh appeared for the Petitioner/Applicant through VC. Adv. Ashish Pyasi a/w Adv. Anjali Shahi appeared for the Respondent/Personal Guarantor through VC. It has been pointed out by the counsel for the Applicant that the C.P.(IB)/977(MB)2022 under Section 95(1) of the IBC, 2016, has already been filed against the same Respondent/Personal Guarantor. In view of the statement made by the counsel for the applicant, the present C.P.(IB)/899(MB)2023 and IA.No.798/2024 is rendered infructuous. Accordingly, **IA.No.798/2024 in C.P.(IB)/899(MB)2023 is dismissed having become infructuous.** The applicant shall be at liberty to file its claim before the RP appointed, if any, in C.P.(IB)/977(MB)2022.

**Sd/-**  
**ANIL RAJ CHELLAN**  
**Member (Technical)**

*JAGDISH*

**Sd/-**  
**KULDIP KUMAR KAREER**  
**Member (Judicial)**