

**IN THE NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH – 1
VC AND PHYSICAL (HYBRID) MODE
ATTENDANCE CUM ORDER SHEET OF THE HEARING HELD ON
07-02-2024 AT 10:30 AM**

IA (IBC) 226/2024 in CP (IB) No. 2/95/HDB/2021
u/s. 95 of IBC, 2016

IN THE MATTER OF:

State Bank of India

...Petitioner

VS

Mrs. L Ramalakshamma

...Respondent

C O R A M:-

**DR. VENKATA RAMAKRISHNA BADARINATH NANDULA, HON'BLE MEMBER (JUDICIAL)
SH. CHARAN SINGH, HON'BLE MEMBER (TECHNICAL)**

ORDER

IA (IBC) 226/2024

This is the matter where RP has been appointed on 23.07.2021, i.e prior to the judgment of the Hon'ble Supreme Court of India in re. Dilip B. Jiwrajka v. Union Of India & Ors dated 09.11.2023. RP filed report on 12.08.2021 recommending for the admission of personal guarantor.

As per the judgment of Hon'ble Supreme Court in re Dilip B. Jiwrajka v. Union Of India & Ors "No judicial authority is involved at the stages envisaged under Section 95-99 of IBC". "Adjudicating Authority must observe principles of natural Justice when it exercises jurisdiction under Section 100 for the purpose of determining whether to accept or reject the application".

We therefore, hereby direct the RP to serve copy of his report on the personal guarantor under proper acknowledgment. Personal guarantor can file objections if any, to the report of RP at least 3 days before next hearing date and serve copy on the RP as well as on the financial creditor.

For hearing on the RP report, matter adjourned to 08.03.2024.

Sd/-

MEMBER (T)

Sd/-

MEMBER