

**IN THE NATIONAL COMPANY LAW TRIBUNAL, AHMEDABAD**  
**COURT - 1**

ITEM No 121  
IA 113 of 2020  
in  
CP(IB) 23 of 2017

**Order under Section 10**

**IN THE MATTER OF:**

New Tech Fitting Pvt Ltd  
V/s  
Rajkot Nagarik Sahakari Bank Ltd

.....Applicant

.....Respondent

**Order delivered on 17.08.2021**

**Coram:**

Madan B. Gosavi, Hon'ble Member(J)  
Virendra Kumar Gupta, Hon'ble Member(T)

**PRESENTS:**

For the Applicant : Mr. Rajesh Bohra, Adv.  
For the IRP/RP :  
For the Respondent : Mr. Raju Kothari, Adv. for SBI

**ORDER**

IA 113 of 2020 is filed by the personal guarantor under Section 94 of IBC, 2016. We make it clear that such application cannot be filed in main CP(IB) 23 of 2017. Personal Guarantor has to file separate applications under Section 94 of IBC, 2016. Since this application is not maintainable, **IA 113 of 2020 stands disposed of** with liberty to file separate Company Petitions under Section 94 of IBC, 2016. Issue of limitation, if arises, shall be considered.

(VIRENDRA KUMAR GUPTA)  
MEMBER (TECHNICAL)

Prakash

(MADAN B. GOSAVI)  
MEMBER (JUDICIAL)