

IN THE NATIONAL COMPANY LAW TRIBUNAL
INDORE BENCH AT AHMEDABAD

ITEM No. 1
C.P.(IB)/40(MP)2021

Order under Section 95 IBC

IN THE MATTER OF:

State Bank of India
V/s
Mahesh Rajpal

.....Applicant

.....Respondent

Order delivered on ..03/09/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J)
Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant : Ld. Counsel Mr. Vishal Dave for applicant.

For the Respondent : Ld. Counsel Ms. Saumya Sharma

ORDER

Learned counsel for personal guarantor states that the application is not maintainable. Further states that the signature shown in the guarantee deed is not the signature of this guarantor and this guarantor has not signed the guarantee deed. Learned counsel for the personal guarantor further states that copy of the application is not served to the respondent.

Matter stands adjourned to 25.11.2021


VIRENDRA KUMAR GUPTA
MEMBER (TECHNICAL)

nair

SD/-
DR. DEEPTI MUKESH
MEMBER (JUDICIAL)

IN THE NATIONAL COMPANY LAW TRIBUNAL
INDORE BENCH AT AHMEDABAD

ITEM No. 2
C.P.(IB)/38(MP)2021

Order under Section 95 IBC

IN THE MATTER OF:

State Bank of India
V/s
Ashok Rajpal

.....Applicant

.....Respondent

Order delivered on ..03/09/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J)
Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant : Ld. Counsel Mr. Vishal Dave

For the Respondent : Ld. Counsel Mr. Ishan Shah

ORDER

This application is filed by Financial Creditor through RP for initiation of CIRP against personal guarantors. Learned counsel for the respondent appeared and submitted that CIRP in respect of the corporate debtor in relation to whom such guarantees have been given is still under process and it is most likely that suitable resolution plan may be approved. Hence, this application may not be disposed of as of now.

Learned counsel for the applicant seeks an order may be passed under Section 96 read with Section 99 and direction may be given to the RP.

The interim moratorium shall commence under Section 96 from the date of application. The RP, as suggested by the applicant, Mr. Sajjan Kumar Dokania, Regn. No. IBBI/IPA-003/IP-N000150/2017-2018/11729, is directed to file the report within ten days.

We direct the respondent to file reply within two weeks by serving an advance copy to the other side and the petitioner may file rejoinder within a week.

List the matter for further consideration on 25.11.2021


VIRENDRA KUMAR GUPTA
MEMBER (TECHNICAL)

nair

SP/-
DR. DEEPTI MUKESH
MEMBER (JUDICIAL)

IN THE NATIONAL COMPANY LAW TRIBUNAL
INDORE BENCH AT AHMEDABAD

ITEM No. 3
C.P.(IB)/39(MP)2021

Order under Section 95 IBC

IN THE MATTER OF:

State Bank of India
V/s
Jatin Rajpal

.....Applicant

.....Respondent

Order delivered on ..03/09/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J)
Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant : Ld. Counsel Mr. Vishal Dave

For the Respondent : Ld. Counsel Mr. Ishan Shah

ORDER

This application is filed by Financial Creditor through RP for initiation of CIRP against personal guarantors. Learned counsel for the respondent appeared and submitted that CIRP in respect of the corporate debtor in relation to whom such guarantees have been given is still under process and it is most likely that suitable resolution plan may be approved. Hence, this application may not be disposed of as of now.

Learned counsel for the applicant seeks an order may be passed under Section 96 read with Section 99 and direction may be given to the RP.

The interim moratorium shall commence under Section 96 from the date of application. The RP, as suggested by the applicant, Mr. Sajjan Kumar Dokania, Regn. No. IBBI/IPA-003/IP-N000150/2017-2018/11729, is directed to file the report within ten days.

We direct the respondent to file reply within two weeks by serving an advance copy to the other side and the petitioner may file rejoinder within a week.

List the matter for further consideration on 25.11.2021


VIRENDRA KUMAR GUPTA
MEMBER (TECHNICAL)

nair

SD/-
DR. DEEPTI MUKESH
MEMBER (JUDICIAL)

IN THE NATIONAL COMPANY LAW TRIBUNAL
INDORE BENCH AT AHMEDABAD

ITEM No. 4
C.P.(IB)/41(MP)2021

Order under Section 95 IBC

IN THE MATTER OF:

State Bank of India
V/s
Rakesh Rajpal

.....Applicant

.....Respondent

Order delivered on ..03/09/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J)
Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant : Ld. Counsel Mr. Vishal Dave

For the Respondent : Ld. Counsel Mr. Ishan Shah

ORDER

This application is filed by Financial Creditor through RP for initiation of CIRP against personal guarantors. Learned counsel for the respondent appeared and submitted that CIRP in respect of the corporate debtor in relation to whom such guarantees have been given is still under process and it is most likely that suitable resolution plan may be approved. Hence, this application may not be disposed of as of now.

Learned counsel for the applicant seeks an order may be passed under Section 96 read with Section 99 and direction may be given to the RP.

The interim moratorium shall commence under Section 96 from the date of application. The RP, as suggested by the applicant, Mr. Sajjan Kumar Dokania, Regn. No. IBBI/IPA-003/IP-N000150/2017-2018/11729, is directed to file the report within ten days.

We direct the respondent to file reply within two weeks by serving an advance copy to the other side and the petitioner may file rejoinder within a week.

List the matter for further consideration on 25.11.2021


VIRENDRA KUMAR GUPTA
MEMBER (TECHNICAL)

nair

SD/-
DR. DEEPTI MUKESH
MEMBER (JUDICIAL)

IN THE NATIONAL COMPANY LAW TRIBUNAL
INDORE BENCH AT AHMEDABAD

ITEM No. 5
Appeal/15(MP)2021

Order under Section 252(3)

IN THE MATTER OF:

Samir Surendra Kotgirwar
(Sameer Realty Pvt Ltd)
V/s
Registrar Of Companies, Gwalior

.....Applicant

.....Respondent

Order delivered on ..03/09/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J)
Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant : Ld. PCS Vinit Nagar for appellant.

For the Respondent :

ORDER

Company Appeal 15 (MP) 2021

This appeal is filed under Section 252(3) of the Companies Act, 2013..

Issue notice to the RoC and Income-tax Department and to file affidavit of proof of service.

ROC and Income Tax Department may file their responses, if any, within two weeks.

Matter stands adjourned to 18.11.2021


VIRENDRA KUMAR GUPTA
MEMBER (TECHNICAL)

nair

SD/-
DR. DEEPTI MUKESH
MEMBER (JUDICIAL)

IN THE NATIONAL COMPANY LAW TRIBUNAL
INDORE BENCH AT AHMEDABAD

ITEM No. 6
CP/9(MP)2021

Order under Section 241-242

IN THE MATTER OF:

Rajesh Agrawal alias Raju Agrawal & Ors.
V/s.

.....Applicant

Makhija Construction & Engineering Pvt Ltd & Ors.

.....Respondent

Order delivered on .03/09/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J)
Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant :
For the Respondent :

ORDER

Learned counsel Mr. Pratik Tripathi for petitioner.

Issue notice to Respondent Nos. 1 to 9 and to file affidavit of proof of service within two weeks.

Matter stands adjourned to 26.11.2021


VIRENDRA KUMAR GUPTA
MEMBER (TECHNICAL)

nair

SD/-
DR. DEEPTI MUKESH
MEMBER (JUDICIAL)

IN THE NATIONAL COMPANY LAW TRIBUNAL
INDORE BENCH AT AHMEDABAD

ITEM No. 7

Mis.A/8(MP)2021 in TP 139 of 2019 [TP 125 of 2016(CP 34 of 2016)]

Order under Section 397-398

IN THE MATTER OF:

Ashok Kumar Khosla

.....Applicant

V/s

PGH International Pvt Ltd

.....Respondent

Order delivered on ..03/09/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J)

Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant

: Ld. Advocate Mr. Sandip Singhi

Ld. Sr. Counsel Mr. Sumit Batra

For the Respondent

: Ld. Advocate Mr. Ankit Dubey along with

Ld. Advocate Mr. Jitendra Goyal for respondent

ORDER

Mis. A/8 (MP)2021 in TP 139 of 2019 [TP 125 of 2016(CP 34 of 2016)]

This application is filed under Section 397-398 of the Companies Act. Registry is directed to put this matter along with cognate matter of the same group which is under consideration before Special Bench. Further, the Technical Member has recused to be part of the Special Bench. ^{This is} Matter be placed before Acting President for necessary decision whether to include the same for consideration of the Special Bench.

With this directive the matter stands adjourned to 28.10.2021


VIRENDRA KUMAR GUPTA
MEMBER (TECHNICAL)

nair

SD/-
DR. DEEPTI MUKESH
MEMBER (JUDICIAL)

IN THE NATIONAL COMPANY LAW TRIBUNAL
INDORE BENCH AT AHMEDABAD

ITEM No. 8

Mis.A/7(MP)2021 in

TP 138 of 2019 [TP 122 of 2016(CP 27 of 2016)]

Order under Section 397-398

IN THE MATTER OF:

Alliance Industries Ltd

V/s

People International & Services Pvt Ltd

.....Applicant

.....Respondent

Order delivered on ..03/09/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J)

Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant

: Ld. Advocate Mr. Sandip Singhi

Ld. Sr. Counsel Mr. Sumit Batra

For the Respondent

: Ld. Advocate Mr. Ankit Dubey along with

Ld. Advocate Mr. Jitendra Goyal for respondent

ORDER

Mis. A/ 7(MP)2021 in TP 138 of 2019 [TP 122 of 2016(CP 27 of 2016)]

This application is filed under Section 397-398 of the Companies Act. Registry is directed to put this matter along with cognate matter of the same group which is under consideration before Special Bench. Further, the Technical Member has refused to be part of the Special Bench. ^{This &} Matter be placed before Acting President for necessary decision whether to include the same for consideration of the Special Bench.

With this directive the matter stands adjourned to 28.10.2021.


VIRENDRA KUMAR GUPTA
MEMBER (TECHNICAL)

nair

SD/-
DR. DEEPTI MUKESH
MEMBER (JUDICIAL)

IN THE NATIONAL COMPANY LAW TRIBUNAL
INDORE BENCH AT AHMEDABAD

ITEM No. 101
(MP) CP(IB) 40 of 2020

Order under Section 7 IBC

IN THE MATTER OF:

Mangalam Viniyog Pvt Ltd
V/s
Ritspin Synthetics Ltd

.....Applicant

.....Respondent

Order delivered on ..03/09/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J)
Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant : PCS Mr. Rahul Parasrampur
For the Respondent : Ld. Sr. Counsel Mr. Navin Pahwa

ORDER

The documents of the applicant are not reflecting on e-portal. Learned Counsel for the Applicant as well as Registry is directed to take appropriate steps to bring it on record.

Reply of the Corporate Debtor has come on record.

List the matter for hearing on 29.10.2021.


VIRENDRA KUMAR GUPTA
MEMBER (TECHNICAL)

vc

SD/-
DR. DEEPTI MUKESH
MEMBER (JUDICIAL)

IN THE NATIONAL COMPANY LAW TRIBUNAL
INDORE BENCH AT AHMEDABAD

ITEM No. 102
TP 2 of 2019 [CP(IB) 223 of 2018]

Order under Section 9 IBC

IN THE MATTER OF:

Draeger India Pvt Ltd
V/s

.....Applicant

Bafna Hospital & Orthopaedic Research Centre Pvt Ltd

.....Respondent

Order delivered on ..03/09/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J)
Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant : Mr. Manoj Khatri, Advocate
For the Respondent : Mr. Abhinav Malhotra, Advocate

ORDER

On perusal of the record, it is seen that reply of the Corporate Debtor has not come on record. Let Corporate Debtor to upload all the pleadings once again. Since it is requested by the Learned Counsel for the Applicant some of the pages are still missing and they have not received complete set of reply. Let Corporate Debtor to serve complete set of reply to the Learned Counsel for the Applicant.

List the matter on 21.10.2021.


VIRENDRA KUMAR GUPTA
MEMBER (TECHNICAL)

vc

SD/-
DR. DEEPTI MUKESH
MEMBER (JUDICIAL)

IN THE NATIONAL COMPANY LAW TRIBUNAL
INDORE BENCH AT AHMEDABAD

ITEM No. 103
TP 243 of 2019 [CP(IB) 432 of 2019]

Order under Section 9 IBC

IN THE MATTER OF:

Nice Agency

.....Applicant

V/s

Balaji Steroids & Hormones Pvt Ltd

.....Respondent

Order delivered on ..03/09/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J)

Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant

:Mr. Aditya Yagnik, Advocate

For the Respondent

:Mr. M.K. Shah, Advocate

ORDER

The documents of the applicant are available on e-portal. Learned Counsel for the Corporate Debtor e-filed its reply just day before yesterday. Hence, it is not come on record.

List the matter on 29.10.2021.


VIRENDRA KUMAR GUPTA
MEMBER (TECHNICAL)

vc

has
g
SDI-
DR. DEEPTI MUKESH
MEMBER (JUDICIAL)

IN THE NATIONAL COMPANY LAW TRIBUNAL
INDORE BENCH AT AHMEDABAD

ITEM No. 104
(MP) CP(IB) 3 of 2020

Order under Section 9 IBC

IN THE MATTER OF:

Barsan Lal Sahu & Ors
V/s
Devyani Properties Ltd

.....Applicant

.....Respondent

Order delivered on ..03/09/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J)
Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant : None
For the Respondent :

ORDER

No one appeared for the Parties.

List the matter on 26.11.2021.


VIRENDRA KUMAR GUPTA
MEMBER (TECHNICAL)

vc

SD/-
DR. DEEPTI MUKESH
MEMBER (JUDICIAL)

IN THE NATIONAL COMPANY LAW TRIBUNAL
INDORE BENCH AT AHMEDABAD

ITEM No. 105
Mis.A/1(MP)2021
Inv.P/1(MP)2021
in
(MP) CP(IB) 82 of 2020

Order under Section 9 IBC

IN THE MATTER OF:

Mahendra Singh Rawat

.....Applicant

V/s

Maa Peetambra Sugar & Power

.....Respondent

Order delivered on ..03/09/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J)

Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant

:Mr. Harshavardhan Topre, Advocate

Mr. Shivram Ganeshan, Advocate

For the Respondent

:PCS Mr. Jatin Kapadia

ORDER

Inv. P/1(MP) 2021

Learned Counsel for the non-applicant/respondent states that reply is filed yesterday, which ~~is~~ not come to the court file. Let copy be served.

(MP) CP(IB) 82 of 2020

The pleadings in the main matter ~~is~~ complete and the documents are available on e-portal.

List the matter for hearing on 25.11.2021.


VIRENDRA KUMAR GUPTA
MEMBER (TECHNICAL)

vc

SD/-
DR. DEEPTI MUKESH
MEMBER (JUDICIAL)

IN THE NATIONAL COMPANY LAW TRIBUNAL
INDORE BENCH AT AHMEDABAD

ITEM No. 106
Appeal/5(MP) 2021

Order under Section 252(3)

IN THE MATTER OF:

Nand Kishor Agrawal
(Mangal Solderates Pvt Ltd)
V/s
ROC Gwalior MP

.....Applicant

.....Respondent

Order delivered on ..03/09/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J)
Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant : Mr. Rajat Lohia, Advocate
For the Respondent :

ORDER

Heard Learned Counsel for the Appellant.

Reserved for order.


VIRENDRA KUMAR GUPTA
MEMBER (TECHNICAL)

vc

SD/-
DR. DEEPTI MUKESH
MEMBER (JUDICIAL)

IN THE NATIONAL COMPANY LAW TRIBUNAL
INDORE BENCH AT AHMEDABAD

ITEM No. 107
(MP) CP 21 of 2020

Order under Section 241-242 of Co.Act,2013

IN THE MATTER OF:

Ramnath Lifestyle Pvt Ltd
V/s

.....Applicant

Ramnath Housing Pvt Ltd & Ors

.....Respondent

Order delivered on ..03/09/2021

Coram:

Dr.Deepti Mukesh, Hon'ble Member(J)
Mr.Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant :PCS Mr. Vinit Nagar
For the Respondent :

ORDER

In compliance of order dated 15.07.2021, the Petitioner has uploaded the documents on e-portal. None appeared for the Respondents on 15.07.2021. None appeared for the Respondents today also. Learned Counsel for the Petitioner states that there are 5 Respondents. Learned Counsel for the Petitioner states that neither Respondents have appeared nor filed responses, hence, petition cannot be proceeded. As a last chance Respondents to file reply within three weeks, failing which right to file reply stands closed and the matter will be listed for final hearing.

In the meantime, the Registry as well as Petitioner to serve notice(s) to the all the Respondents alongwith the copy of this order under acknowledgment and to file the proof of service.

List the matter on 25.11.2021.


VIRENDRA KUMAR GUPTA
MEMBER (TECHNICAL)

vc

SD/-
DR. DEEPTI MUKESH
MEMBER (JUDICIAL)

IN THE NATIONAL COMPANY LAW TRIBUNAL
INDORE BENCH AT AHMEDABAD

ITEM No. 108
2315106001342020

Order under Section Rule 11 of NCLT,2016

IN THE MATTER OF:

Kanak Fairdeal (India) Pvt Ltd
V/s
Alfavision Overseas (India) Ltd

.....Applicant

.....Respondent

Order delivered on ..03/09/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J)
Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant :
For the Respondent :

ORDER

In compliance of the last order dated 09.07.2021, the applicant does not appear and objection has also not been removed, hence, IA is listed for dismissal for non-appearance of the Applicant.

IA stands dismissed for default.


VIRENDRA KUMAR GUPTA
MEMBER (TECHNICAL)

DR. DEEPTI MUKESH
MEMBER (JUDICIAL)

vc

IN THE NATIONAL COMPANY LAW TRIBUNAL
INDORE BENCH AT AHMEDABAD

ITEM No. 109
2315106000582020'

Order under Section 252(3)

IN THE MATTER OF:

Vinay Rai & Anr
(Vrindra Infra Vrnitures Pvt Ltd)
V/s
ROC Gwalior

.....Applicant

.....Respondent

Order delivered on ..03/09/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J)
Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant :
For the Respondent :

ORDER

In compliance of the last order dated 09.07.2021, the Appellant does not appear and objection has not been removed, hence, IA is listed for dismissal for non-appearance of the Applicant.

IA stands dismissed for default.

VIRENDRA KUMAR GUPTA
MEMBER (TECHNICAL)

vc

SD/-
DR. DEEPTI MUKESH
MEMBER (JUDICIAL)