

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Comp. App. (AT) (Ins) No. 921 of 2026

IN THE MATTER OF:

Sumer Buildcorp Pvt. Ltd.

...Appellant(s)

Versus

Omkara Asset Reconstruction Pvt. Ltd.

...Respondent(s)

Present:

For Appellant : Mr. Gaurav Mitra, Sr. Advocate

**For Respondents : Mr. Karan Bharioke, Mr. Keshav Khandelwal,
Advocates**

ORDER
(Hybrid Mode)

27.05.2026 This Appeal has been filed against the order dated 21/04/2026 by which I.A. 2212/MB/2023 filed by the Appellant, the Corporate Debtor, challenging the maintainability of Section 7 Application has been rejected.

2. Ld. Counsel for Appellant submitted that Appellant is a Corporate guarantor and invocation of guarantee took place on 10/02/2021 and 16/02/2021, both within 10A period, hence Section 7 Application was not maintainable.

3. The submissions made by Ld. Counsel for Appellant need consideration. Issue Notice. Let Reply be filed within three weeks. Rejoinder, if any, be filed within two weeks thereafter.

4. List this Appeal on **30/07/2026**.

5. In the meantime, no further proceeding shall take place in C.P.(IB)
136/MB/2022.

[Justice Ashok Bhushan]
Chairperson

[Barun Mitra]
Member (Technical)

Prerana/ md