NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Comp. App. (AT) (Ins) No. 2120 of 2026

IN THE MATTER OF:

Nikhil Alva **...Appellant(s)**

Versus

Canara Bank & Anr. **...Respondent(s)**

Present:
For Appellant(s) : Ms. Dr. Menaka Guruswamy Sr. Adv. with Ms. Shaswati Parhi, Ms. Bhumika Yadav, Mr. Anmol Gupta, Ms. Manvi Jain & Ms. Pranjal Parey, Advocates
For Respondent(s) : Appearance not marked

With

Comp. App. (AT) (Ins) No. 2121 of 2026

IN THE MATTER OF:

Niret Alva **...Appellant(s)**

Versus

Canara Bank & Anr. **...Respondent(s)**

Present:
For Appellant(s) : Ms. Dr. Menaka Guruswamy Sr. Adv. with Ms. Shaswati Parhi, Ms. Bhumika Yadav, Mr. Anmol Gupta, Ms. Manvi Jain & Ms. Pranjal Parey, Advocates
For Respondent(s) : Appearance not marked

O R D E R
(Hybrid Mode)

03.11.2026 Having regard to the submissions made by Learned Senior Counsel appearing for the Appellant, the Comp. App. (AT) (Ins) No. 2121 of 2026 is connected with the instant appeal.

Heard Ms. Dr. Menaka Guruswamy, Learned Senior Counsel appearing for the Appellant, and perused the record.

Learned Counsel for the Appellant vehemently submits that the petition filed by the Respondent-Financial Creditor under Section 95 of the Insolvency and Bankruptcy Code, 2016, was evidently barred by limitation. In this regard, the initiation of this Appellate Tribunal has been drawn towards the paragraph No. 9 of the impugned judgment, wherein

certain dates have been stated, which were also in the petition filed by the Respondent Bank, in order to show that even if these dates are taken as correct the petition would be barred by limitation.

It is further submitted that the fact which has been taken by the Learned Adjudicating Authority in order to perceive that there is an acknowledgment of debt by the guarantor is with regard to some whatsapp chats allegedly exchange between the Financial Creditor and the Personal Guarantor. However, even if these chats are believed for the sake of argument, the same would not constitute any valid acknowledgment.

In this regard Learned Senior Counsel has relied on the law laid down by this Appellate Tribunal in ***Mohan Lal Goel v. National Skill Development Corporation, 2022 SCC OnLine NCLAT, 2020***.

It is submitted that having regard to the fact that there was no acknowledgment through the whatsapp chats relied on by the Learned Adjudicating Authority, the petition was evidently barred by limitation.

We have heard Learned Counsel for the Appellant perused the record. In our considered opinion, the matter requires consideration.

Issue notice to the Respondents on appeal as well as with regard to stay application. Steps in this regard be taken within three working days from today.

List these appeals on **01.12.2026,** under the caption “After Notice”.

[Justice Mohammad Faiz Alam Khan]
Member (Judicial)

[Naresh Salecha]
Member (Technical)

KS/KM