

NATIONAL COMPANY LAW TRIBUNAL
INDORE BENCH
COURT NO. 1

ITEM No.111
C.P.(IB)/63(MP)2023

Proceedings under Section 95 IBC

IN THE MATTER OF:

Small Industries Development Bank of India, through RP

Rakesh Kumar Gupta

.....Applicant

V/s

Motiram Choudhary

(Personal Guarantor of M/s Suman Phosphates & Chemicals
Ltd)

.....Respondent

Coram:

Hon'ble Shri Brajendra Mani Tripathi, Member (J)

Hon'ble Shri Man Mohan Gupta Member (T)

PRESENT:

For the Applicant

: Ms. Riddhi Vora, Adv (Online)

For the Respondent

: Mr. Mayank Verma, Adv (Online)

ORDER

Delivered on 16/06/2026

1. Ld. Counsel for the Applicant submits that, on the previous date of hearing, i.e., 10.04.2026, the Respondent sought time to file the reply as well as the Vakalatnama in the matter. However, till date, neither the reply nor the Vakalatnama has been filed. It is therefore prayed that the Respondent's right to file the reply be closed.
2. Accordingly, the Respondent's right to file the reply is hereby closed.
3. It is further submitted that, after completion of the Board, the Ld. Counsel for the Respondent/PG appeared and prayed that his right to file the reply may not be closed. However, by that time, the order had already been passed in the earlier round. Further, the Ld. Counsel for the Applicant was not available during the second round of hearing. Therefore, the submissions made by the Ld. Counsel for the Respondent/PG are not tenable and are hereby rejected.
4. Accordingly, list the matter on **27.07.2026**.

Sd/-

MAN MOHAN GUPTA
MEMBER (TECHNICAL)

Tomar

Sd/-

BRAJENDRA MANI TRIPATHI
MEMBER (JUDICIAL)