

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Comp. App. (AT) (Ins) No. 1106 of 2024

IN THE MATTER OF:

Subhas Kedarnath Tibrewal

...Appellant

Versus

Pawan Kumar Jagetia & Anr.

...Respondents

Present:

For Appellant : Mr. Pavan S. Godiawala, Mr. Vishnu Sankar & Ms. Anaya P. Godiawala, Adv.

For Respondents : Ms. Honey Satpal, Mr. Akash Agarwalla & Mr. Aman, for R-1.
Mr. Pawan Jagetia, RP.

ORDER
(Hybrid Mode)

15.07.2026 Heard Learned Counsel for the Appellant as well as Learned Counsel for Respondent No. 1.

We notice that vide order dated 19.01.2026, we had directed to implead Bank of Baroda/ Financial Creditor as Respondent in the instant appeal and our order appears to have been complied and Bank of Baroda was impleaded as Respondent No. 2. Steps has also been taken for serving him with regard to the instant appeal.

The track report of the postal department, which is available on record, also shows that the notice sent to the Bank of Baroda has been delivered.

Thus, it may be inferred that the newly impleaded Respondent/ Bank of Baroda has sufficiently been served.

We are surprised that even after being served, nobody is present before us on behalf of Respondent No.2- Bank of Baroda /Financial Creditor.

We also notice that in the impugned judgment, precisely in paragraph no. 4 of the same, it has been stated by the Learned Adjudicating Authority that 'Bank of Baroda was represented before the Learned Adjudicating Authority on 13.12.2023 and a statement was made that the Bank is not having any objection if the petition filed by the guarantor (Appellant) under Section 94 of the Code is 'admitted'.

In view of this, let a copy of this order be sent to the Chairman/ Managing Director of the Bank of Baroda for information and communicating the manner in which the *lis* is being prosecuted by the officials of the 'Bank of Baroda' and further to direct that a responsible officer of the Bank will remain present before this Appellate Tribunal on the next date of listing.

List accordingly on **31.07.2026**.

[Justice Mohammad Faiz Alam Khan]
Member (Judicial)

[Mr. Naresh Salecha]
Member (Technical)

Sim/mr