

**NATIONAL COMPANY LAW TRIBUNAL
JAIPUR BENCH**
(through web-based video conferencing platform)

Item No. 107
CP No. (IB)- 28/94/JPR/2026
Under Section 94 of IBC, 2016

In the matter of:

Manju Devi Goyal

...Applicant/Creditor

Vs.

State Bank of India (PG to CD-M/s S.V.M. Oil Mills Pvt. Ltd.)

...Personal Guarantor/Respondent

Coram: HON'BLE MS. REETA KOHLI, JUDICIAL MEMBER

HON'BLE MS. KAVITA BHATNAGAR, TECHNICAL MEMBER

PRESENT: -

For the Applicant : Akshita Koolwal, Adv. for Akshat Khandelwal

For the Respondent : Akanksha Noval, Adv.
Mahak Jain Adv. for Shivangshu Noval, Adv.

ORDER

Communication has been sent by the counsel for the petitioner seeking adjournment through an email dated 18.06.2026. On the last date of hearing i.e. 22.05.2026 the following order was passed.

"The present application has been preferred by the petitioner under Section 94. The petitioner had earlier also approached the Adjudicating Authority under Section 94 when petition was dismissed vide order dated 17.04.2026 on account of the fact that the petitioner was not the Personal Guarantors, hence Section 94 petition was not maintainable. Keeping in view the fact that the petitioner availed the benefit of interim moratorium, during the pendency of earlier petitions and after dismissal of the same, petitioner has once again chosen to file the petition under Section 94. The contention of the counsel is that now the case is made out as guarantee documents have now been enclosed. We do not deem it appropriate to grant any indulgence as the petitioner should have been vigilant at the time of approaching the Court in the first instance. The petitioner filed earlier petition without there being any supporting documents so as to show that the petitioners were the Personal Guarantor. Ld. Counsel for the petitioner

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prays for an adjournment to advance the arguments on the same. Ld. Counsel for the SBI appearing through virtual mode has also raised the same concerns of misusing the interim moratorium. Let the copy of the petition be forwarded to the counsel for the SBI so as to enable him to assist the Court. Posted to 19.06.2026.”

The counsel for the respondent-Financial Creditor i.e. State Bank of India is vehemently opposing the adjournment request in view of the interim moratorium being enjoyed by the petitioner. It deserves to be taken note that earlier set of petitions were filed on 01.06.2024 which got dismissed vide order dated 17.04.2026. The petitioner enjoyed prolonged interim moratorium during the pendency. Ultimately after appreciation of the case on merits the petitions were dismissed. This is second round of petitions filed by the applicant to take advantage of the interim moratorium. In view of the conduct of the applicant and objections by the Financial Creditor, we are left with no option but to dismiss the petition. *CP disposed off.*



(Kavita Bhatnagar)
Technical Member

June 19, 2026



(Reeta Kohli)
Judicial Member