

NATIONAL COMPANY LAW APPELLATE TRIBUNAL

PRINCIPAL BENCH

NEW DELHI

COMPANY APPEAL (AT)(INSOLVENCY) NO.218 OF 2021

In the matter of

Gautam Mittal
Resolution Professional
Sanwaria Consumer Ltd
Vs

Appellant

MP State Cooperative Marketing Federation Ltd Respondent

Present:

Mr. Abhishek Garg, Mr. Gautam Mittal, RP in Person.

ORDER
(Through Virtual Mode)

23.03.2021- The issue raised in this appeal is that the dismissal of IA No.20/2021 at the hands of Adjudicating Authority, National Company Law Tribunal, Indore Bench at Ahmedabad Court 1 in terms of impugned order dated 5th February, 2021 is unsustainable as the same does not relate to recovery of rent/lease rent or for any other amount in dispute but was to seek refund of the excess amount of Rs.31,07,272/- from Rs. 45 lakhs (amount of multiple bank guarantees) retained by the Respondent as it had received Rs.45 lakhs on invocation of bank guarantees against its dues of Rs.13,92,728/-.

Issue notice upon Respondent. Appellant to provide mobile Nos/e-mail address of the Respondent. Notice be issued through e-mail or any

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other available mode. Requisites alongwith process fee be filed within three days.

Post the Appeal on **14th April, 2021.**

(Justice Bansi Lal Bhat)
Acting Chairperson

(Dr. Ashok Kumar Mishra)
Member (Technical)

Bm/gm