

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**

**Company Appeal (AT) (Insolvency) No. 320 of 2018**

**IN THE MATTER OF:**

**Ajay Chaturvedi**

**...Appellant**

**Vs**

**JM Financial Asset Reconstruction Co. Ltd. & Anr.**

**....Respondents**

**Present:**

**For Appellant: Mr. Arvind Kr. Gupta, Ms. Shreya Matur, Ms. Henna George, Advocates.**

**For Respondent: Mr. Ramji Srinivasan, Sr. Advocare with Mr. Sonal Jain, Mr. Naveen Hegde, Ms. Heena Sharma and Mr. Jshkaran Singh, Advocates.  
Mr. Anant A. Pavgi, Advocate for Resolution Professional.**

**O R D E R**

**27.07.2018:** Learned counsel for Appellant and Respondent (Financial Creditor) are allowed to file additional affidavit within a week and state:

- (i) Whether the Financial Creditor before filing application under Section 7 intimated the Guarantor – ‘Yes Power & Infrastructure Pvt. Ltd.’ that the Principal Borrower has failed to pay the amount and therefore to make good of payment on his behalf on terms of guarantee given by it.
- (ii) If such notice has been given, whether the ‘Yes Power & Infrastructure Pvt. Ltd.’ paid the amount as demanded.

Post the case ‘for orders’ on **9<sup>th</sup> August, 2018**. The appeal may be disposed of at that stage.

[Justice S. J. Mukhopadhaya]  
Chairperson

[Justice Bansilal Bhat]  
Member (Judicial)

*am/sk*