NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Comp. App. (AT) (Ins) No. 1454 of 2026

IN THE MATTER OF:

Indian Bank **...Appellant(s)**

Versus

Mrs. Sneha Dharmendra Shah & Anr. **...Respondent(s)**

Present:

For Appellant **:** Mr. Ritesh D. Patadia, Advocate.
For Respondents **:** Mr. Sumit Parikh, Advocate for RP.

With
Comp. App. (AT) (Ins) No. 1457 of 2026

IN THE MATTER OF:

Indian Bank **...Appellant(s)**

Versus

Dharmendra Shah & Anr. **...Respondent(s)**

Present:

For Appellant **:** Mr. Ritesh D. Patadia, Advocate.
For Respondents **:** Mr. Sumit Parikh, Advocate for RP.

O R D E R
(Hybrid Mode)

[Per: Mohd. Faiz Alam Khan (Oral)]

19.08.2026: Heard Ld. Counsel for the Appellant as well as Ld. Counsels for the Respondent No. 1 and 2. Perused the record.

2. The CA (AT) (Ins) No. 1454 of 2026 has been preferred by the Appellant –Indian Bank against the impugned order dated 08.07.2026 passed by National Company Law Tribunal, Ahmedabad in IA/1034(AHM)2026 moved

in CP (IB)/127(AHM)2025 and CA (AT) (Ins) No. 1457 of 2026 has been moved by appellant against the impugned order of the same date passed in IA/1035(AHM)2026 moved in CP (IB)/125(AHM)2025 whereby the request of the Appellant-Bank for extension of time has been rejected by the Ld. Adjudicating Authority.

3. Ld. Counsel for the Appellant submits that on an application filed by the Appellant-Indian Bank under Section 95 of the Code the PIRP was started against the Respondent No. 1 i.e. Personal Guarantor vide order dated 20.02.2026 passed by Ld. Adjudicating Authority and the Resolution Professional of the Personal Guarantor was appointed.

4. It is further submitted that public announcement was accordingly made on 27.02.2026 and the last of date of submission of claims was filed on 19.03.2026.

5. It is further submitted that after collating the claims, the CoC was constituted and the first meeting of the creditors was held on 02.04.2026 which was incidentally adjourned to 06.04.2026 and after a lot of negotiations ultimately in the 4th meeting of the creditor held on 05.05.2026 which was adjourned to 29.05.2026 the guarantor submitted a combined re-payment plan of Rs. 3,27,50,000/- plus PIRP cost to be paid within 90 days and having regard to the submission of plan the sole member of the creditor suggested for vetting the re-payment plan and took some time.

6. It is further submitted that the 5th meeting of the creditor was held on 26.06.2026 wherein the RP proposed to approve or reject the repayment plan as submitted by the Personal Guarantor and the sole member of creditor resolved to extend the PIRP period for another 60 days beyond 120 days from

21.06.2026 which had earlier expired on 20.06.2026. Considering that the financial creditor in principle has approved the Resolution Plan and certain approvals are required from the Competent Authority and also that the e-voting may take some days and in the meantime the creditor suggested that the RP may put the re-payment plan on e-voting till 06.07.2026 and the RP was requested to file an appropriate application for PIRP extension before the Ld. Adjudicating Authority.

7. It is further submitted that in pursuance of this decision two applications being IA No. 1034/2026 and IA No. 1035/2026 were separately filed in aforesaid petitions by the RP which have been rejected by the Ld. Adjudicating Authority by passing the impugned orders of date 08.07.2026.

8. It is vehemently submitted that the Bank in Principle has approved the re-payment plans submitted by the guarantors and it was only the approval was required and the time was also required by the Bank for getting the approval of appropriate authority and also for the purpose of e-voting, however the Ld. Adjudicating Authority without considering these facts in right perspective, passed an order rejecting the request of the RP for extension of the PIRP’s.

9. It is thus requested that further 60 days be provided for the completion of the whole process in the above PIRP’s.

10. Ld. Counsel for the guarantors however submits that guarantor’s sincerely wants to settle the dispute and has offered repayment plans and after much deliberations it was agreed that the amount of Rs. 3,27,50,000/- would be paid to the Sole Creditor and therefore since approval was not obtained by the financial creditor above applications were moved before the

Ld. Adjudicating Authority and when everything had settled between the parties the Ld. Adjudicating Authority should have allowed the applications and should have granted the requisite time extension of time.

11. Ld. Counsel for the RP says he would abide by whatever the order may be passed by this Appellate Tribunal.

12. Having heard Ld. Counsel for the parties and having perused the record, it is reflected that Appellant is a Financial Creditor and Respondent-Guarantors after initiation of proceedings under Section 95 of the Code, after much deliberations, the guarantors and financial creditor had arrived at settlement as the re-payment plans submitted by the guarantors were in principle approved by the financial creditor, however certain approvals were required to be taken from the appropriate authority by the financial creditor and in this regard some time appears to have been consumed and only for this purpose, on the basis of consensus arrived at between the parties the IA No. 1034/2026 and IA No. 1035/2026 was moved by the RP's before the Ld. Adjudicating Authority requesting to extend the time of PIRP's by 120 more days which have been rejected.

13. We have considered all the facts and circumstances of this case, and find merit in the submissions made by Ld. Counsel for the Appellant as well as in the submissions made by Ld. Counsel for the Respondent- Guarantors that the re-payment plans submitted by the guarantors were in principle were approved by the financial creditor and only approval of the appropriate authority of the Bank has remained. The purpose of the PIRP is for repayment of loan to the financial creditor and when the repayment plans proposed by the guarantor were in principle approved by the financial creditor, after much

deliberations and only approval of the appropriate authority of the financial creditor had remained, the Ld. Adjudicating Authority should have extended reasonable time for completion of the whole process.

14. Thus for the reasons given herein before, we find merit in the appeals and the same are **allowed.** The impugned judgments are set aside. The PIRP period with regard to the aforesaid PRIP's proceedings is extended for further 45 days, from today and in this extended period the whole process of these PIRP's would be completed by the parties.

15. There is no order as to costs.

16. Pending I.A.'s if any are also disposed of.

[Justice Mohammad Faiz Alam Khan]
Member (Judicial)

[Naresh Salecha]
Member (Technical)

sr/mr