

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 7428 OF 2025

VIPIN SHERSINGH AGARWAL

APPELLANT(S)

VERSUS

STATE BANK OF INDIA & ANR.

RESPONDENT(S)

O R D E R

1. Heard learned counsel for the appellant.
2. The only point canvassed before us is that the default had occurred on 31.01.2017 and, therefore, the application filed under Section 95 of the Insolvency and Bankruptcy Code, 2016 ('the Code') was barred by limitation. The National Company Law Appellate Tribunal ('NCLAT') in the impugned order has clearly stated that the application filed under Section 95 of the Code is well within the period of limitation in view of Section 18 of the Limitation Act, 1963 as it stands extended on account of acknowledgment of the debt. Plea of acknowledgement of the debt and the extension of limitation in view of Section 18 of the Limitation Act is well taken in the rejoinder which fact is not denied.

3. In view of the aforesaid facts and circumstances, we do not consider that the appeal has any merit and is accordingly dismissed.

4. Pending application(s), if any, shall stand disposed of.

.....J.
(PANKAJ MITHAL)

.....J.
(K. V. VISWANATHAN)

NEW DELHI
JULY 08, 2025.

ITEM NO.21

COURT NO.12

SECTION XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 7428/2025

VIPIN SHERSINGH AGARWAL

APPELLANT(S)

VERSUS

STATE BANK OF INDIA & ANR.

RESPONDENT(S)

FOR ADMISSION

IA No. 147061/2025 - EX-PARTE STAY

Date : 08-07-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PANKAJ MITHAL
HON'BLE MR. JUSTICE K.V. VISWANATHAN
[PARTIAL COURT WORKING DAYS BENCH]

For Appellant(s) Mr. Gagan Gupta, Sr. Adv.
Mr. Arvind Gupta, AOR
Mr. Kanav Bhardwaj, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

1. Heard learned counsel for the appellant.
2. The Civil Appeal is dismissed in terms of the signed order.
3. Pending application(s), if any, shall stand disposed of.

(VARSHA MENDIRATTA)
COURT MASTER (SH)

(NIDHI MATHUR)
COURT MASTER (NSH)

[Signed order is placed on the file]