

**IN THE NATIONAL COMPANY LAW TRIBUNAL**  
**NEW DELHI BENCH (COURT – II)**

**Item Nos. 203 & 204**  
**(IB)-669/ND/2023 &**  
**IA-1302/2024 in (IB)-698/ND/2023**

**IN THE MATTER OF IB-699/ND/2023:**

**Ayush Gupta** ... **Applicant/Petitioner**

**Versus**

**State Bank of India & Ors.** ... **Respondent**

**IN THE MATTER OF IB-698/ND/2023:**

**Babita Aggarwal** ... **Applicant/Petitioner**

**Versus**

**State Bank of India & Anr.** ... **...Respondent**

**AND IN THE MATTER OF IA-1302/2024 in**  
**IB-698/ND/2023:**

**ARUNAVA SIKDAR**  
**(RESOLUTION PROFESSIONAL)**  
C-10, LGF, Lajpat Nagar-III,  
New Delhi -110024

... **Applicant**

**Under Section: 94(1) of IBC, 2016**

**Order delivered on 08.07.2024**

**CORAM:**

**SH. ASHOK KUMAR BHARDWAJ, HON'BLE MEMBER (J)**  
**SH. SUBRATA KUMAR DASH, HON'BLE MEMBER (T)**

**PRESENT:**

**For the Applicant** : Adv. Udita Singh  
**For the Respondent** : Adv. Shweta Saini for R-1, Adv. Deepak Biswas,  
Adv. Harshit Gupta for R-2  
**For the RP** : Adv. Kapil Bakshi

**Hearing Through: VC and Physical (Hybrid) Mode**

**ORDER**

**(IB)-669/ND/2023, IA-1302/2024 in (IB)-698/ND/2023 & (IB)-**

**698/ND/2023:** The Ld. Counsel appearing for the one of the Creditors i.e.

State Bank of India submitted that the IB/669/ND/2023 and IB/698/ND/2023 have been preferred, just with mala fide intention to stall the recovery proceedings instituted by State Bank of India. In her submission, this Tribunal as also Hon'ble NCLAT have repeatedly viewed that if the proceedings under Section 94 of IBC are instituted to stall the recovery proceedings, the same should be nixed. To produce the Judgment referred by her, she requests for an adjournment. As prayed by the Ld. Counsel appearing for the Applicant for the Creditor (State Bank of India), the hearing is deferred to 25.09.2024.

In the meantime, the copy of the reply filed in IB/669/ND/2023 be made available to Ld. Counsel appearing for the Respondent No. 2.

**Sd/-**  
**(SUBRATA KUMAR DASH)**  
**MEMBER (T)**

**Sd/-**  
**(ASHOK KUMAR BHARDWAJ)**  
**MEMBER (J)**

Satya Prakash/Gaurav Vashisth