

**IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI**  
**COURT-III**

**ITEM No. 106**

IA- 3478/2024

**IN**

**IB-696(ND)/2021**

**IN THE MATTER OF:**

M/s. State Bank Of India

.... Petitioner/Applicant

Vs.

M/s. Babita Nayar

.... Respondent

**Order u/S. 95(1) of Insolvency & Bankruptcy Code (IBC), 2016.**

**Order delivered on 11.07.2024**

**CORAM:**

**SH. BACHU VENKAT BALARAM DAS**  
**HON'BLE MEMBER (JUDICIAL)**

**SH. ATUL CHATURVEDI**  
**HON'BLE MEMBER (TECHNICAL)**

**HYBRID HEARING (PHYSICAL & VC)**

**PRESENT:**

For the Applicant : Mr. PBA Srinivasan, Mr. V Aravind, Srishti Bansal,  
Mr. Sumit Swami, Advs.

For the Respondent :

**ORDER**

**IA- 3478/2024**

This application has been filed by the Financial Creditor (SBI) under Section 95(1) of the IBC, seeking modification of the Resolution Professional fees as approved by the bank vide letter No. SAMB/21-22/387 dated 04.09.2021 (duly acknowledged and accepted by the IRP Shri Ashish Agarwal on 06.09.2021).

Ld. Counsel appearing for the State Bank of India has submitted that in view the agreement entered into between the State Bank of India and Resolution Professional, the Resolution Professional is entitled to the fees as per the said agreement.

Ld. Counsel appearing for the Resolution Professional has submitted that Resolution Professional has not been made a party to this application and a copy has not been served upon him.

We direct the Applicant to serve a copy of the application to the Ld. Counsel appearing for the Resolution Professional during the course of the day.

The Resolution Professional shall file an affidavit in response within one week.

We further direct the State Bank of India to amend the cause title and file amended memo of party.

List the matter **on 13.08.2024.**

-Sd-

**(ATUL CHATURVEDI)  
MEMBER (TECHNICAL)**

Ajay

-Sd-

**(BACHU VENKAT BALARAM DAS)  
MEMBER (JUDICIAL)**