

IN THE NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD
DIVISION BENCH
COURT - 1

ITEM No.111- IA/191(AHM)2024
ITEM No.112- IA/804(AHM)2024
in
CP(IB) 251 of 2020

Proceedings under Section 95 IBC

IN THE MATTER OF:

State Bank of IndiaApplicant
V/s	
Yogesh Jogindernath Mehra Personal Gaurantor to Wind World (India) LtdRespondent

Order delivered on: 12/07/2024

Coram:

Mr. Shammi Khan, Hon'ble Member(J)
Mr. Sameer Kakar, Hon'ble Member(T)

PRESENT:

For the Applicant/NARCL	: Mr. Navin Pahwa, Sr. Adv. (110)
	: a.w Mr.B.H Chatrapati, Advocate, and Mr. Siddharth Sinha (NARCL)
	: Mr. Nipun Singhvi, Adv. (109)
	a.w Mr. Mayur Jugtawat, Adv.
For the Respondent/PG	: Mr. Parth Shah, Adv. a.w Mr. Dhruvil D Merchant, Adv.
For the CD	: Ms. Sanaea Laskari, Adv.

ORDER
(Hybrid Mode)

IA/804(AHM)2024

Now, reply has been filed to this **IA/804(AHM)2024** by the Respondent/Personal Guarantor on 28.06.2024 vide inward diary no. 5105. A rejoinder is also filed by the Applicant on 08.07.2024 vide inward diary no. 5358 the same is taken on record.

This application has been filed by the Applicant/NARCL seeking substitution in **CP 251 of 2020** originally filed by the State Bank of India as a Financial Creditor against the Personal Guarantor/Respondent Mr. Yogesh Jogindernath Mehra.

During the pendency of the proceedings the debt has been assigned to the present applicant /NARCL by the SBI & others vide joint Assignment Deed dated 28.03.2024

duly registered with the sub-registrar Mumbai. Upon notice Respondent/PG filed reply no serious objection has been raised against seeking substitution except qua the stamp duty paid by the Financial Creditors jointly.

We do not find any infirmity in the Assignment Deed dated 28.03.2024 which is duly registered with the sub-Registrar. Hence, substitution as prayed for is allowed.

Let necessary amendment be carried out in the cause title of the main **CP(IB) 251 of 2020** by newly replaced Financial Creditor within 7 days by serving the amended copies to the opposite sides.

In view of above, **IA/804(AHM) 2024** disposed of accordingly.

IA/191(AHM) 2024

A Vakalatnama has been filed by the learned counsel appearing for the Corporate Debtor across the bar today the same is taken on record.

In view of the order passed in IA/804(AHM) 2024, the Applicant/IRP is directed to carry out the necessary amendment in the cause title by serving the copies to the opposite counsels.

Re-list for further consideration on 12.08.2024.

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**SAMEER KAKAR
MEMBER (TECHNICAL)**

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**SHAMMI KHAN
MEMBER (JUDICIAL)**