

NATIONAL COMPANY LAW TRIBUNAL
COURT-V, MUMBAI BENCH

115. IA/1674/2024 C.P. (IB)/106(MB)2022

IN THE MATTER OF

State Bank of India

... Petitioner

Vs

Setubandhan Infrastructure Ltd.

... Respondent

U/s 7 of the Insolvency and Bankruptcy Code, 2016

Order Delivered on 30.04.2024

CORAM:

MS. REETA KOHLI,
MEMBER (J)

MS. MADHU SINHA,
MEMBER (T)

Appearance through VC/Physical/Hybrid Mode:

For the Applicant: Adv. Malhar Zakatia (PH)

For the Respondent: Adv. Niyati Merchant (PH)

ORDER

IA 1674 of 2024- Notice of Motion- Adv. Niyati Merchant accepts notice on behalf of the Respondent and prays for time to file reply. Allowed as prayed for. Let the reply be filed before the next date of hearing by serving an advance copy on the Counsel opposite. Adjourned to **17.05.2024**.

Sd/-
MADHU SINHA
Member(Technical)

Sd/-
REETA KOHLI
Member(Judicial)

/Ziyaul/

NATIONAL COMPANY LAW TRIBUNAL
COURT-V, MUMBAI BENCH

205. IA/2967/2023 IA/5805/2023 IA/1204/2024
IA(PLAN)/7/2024 IA 24/2024 C.P. (IB)/106(MB)2022

IN THE MATTER OF

State Bank Of India
Vs

... Petitioner

Setubandhan Infrastructure Ltd.

... Respondent

U/s 7 of the Insolvency and Bankruptcy Code, 2016

Order Delivered on 30.04.2024

CORAM:

MS. REETA KOHLI,
MEMBER (J)

MS. MADHU SINHA,
MEMBER (T)

Appearance through VC/Physical/Hybrid Mode:

For the Applicant: Adv. Shyam Kapadia (PH)

For the RP in all IAs: Adv. Niyati Merchant (PH)

ORDER

IA 2967 of 2023- Adjourned to **17.05.2024**.

IA 5805 of 2023- The prayer in the application is for setting aside the ex-parte order dated 13.10.2023 so as enable the Applicant i.e. Respondent No. 7 to file the reply. Ld. Counsel for the Applicant submits that they never got to know about the proceedings as the Applicant is based at Andhra Pradesh whereas the notice was published in the newspaper at Mumbai. In view of the submissions made by the Ld. Counsel, we deem it appropriate to set aside the order dated 13.10.2023 qua the Applicant i.e. Respondent No. 7 in IA 2967 of 2023. The Counsel for the Applicant is directed to file the reply within a period of one week by serving an advance copy on the Counsel opposite. In view of the same, the present is allowed and **disposed of**.

IA 1204 of 2024- Counsel for the Respondent once again prays for a short adjournment so as to enable him to file reply. On 16.04.2024, the same request was

made, no reply has been filed till date. In the interest of justice, the Respondent is permitted to file reply after depositing the cost of Rs. 10,000/- to `Prime Minister Relief Fund` through `Bharatkosh`. Let the reply be filed within a period of one week by serving an advance copy on the Counsel opposite. Adjourned to **17.05.2024**.

IA (Plan) 7 of 2024- Adjourned to **14.05.2024**.

IA 24 of 2024- The prayer in the Application is for setting aside the ex-parte order dated 13.10.2023. The Ld. Counsel for the Applicant is very fairly submits that inadvertently Respondent No. 2 missing the present Petition and failed to follow up the same and file his reply. In view of the submissions made, we deem it appropriate to set aside the ex-parte order dated 13.10.2023 qua Respondent No. 2 only. The Respondent No. 2 is directed to file reply in IA 2967 of 2023 within a period of one week by serving an advance copy on the Counsel opposite. Accordingly, the IA is allowed and **disposed of**.

Sd/-
MADHU SINHA
Member(Technical)

Sd/-
REETA KOHLI
Member(Judicial)

/Ziyaul/