

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

Item No. 211
(IB)-410/ND/2023
IA-1017/2024

IN THE MATTER OF:
State Bank of India

... **Applicant/Petitioner**

Versus

Mander Das Jain

... **Respondent**

Under Section: 95(1) of IBC, 2016

Order delivered on 16.04.2024

CORAM:

SH. ASHOK KUMAR BHARDWAJ
HON'BLE MEMBER (J)

SH. SUBRATA KUMAR DASH
HON'BLE MEMBER (T)

PRESENT:

For the Applicant : Mr. Kushal Bansal, Advocate along with Ashish Mehta, Advocate

For the RP : Adv. Jyoti Khurana

Hearing Through: VC and Physical (Hybrid) Mode

ORDER

IA-1017/2024: All these applications are in respect of same financial transaction qua which the Respondents before us stood as PG. The Ld. Proxy Counsel for the RP submitted that there is bereavement in the family of the arguing counsel and prayed for short adjournment. On perusal of the affidavit uploaded on Case Information System we could find that the notice sent to Respondents was returned unserved. It can also be seen from the affidavit of service filed by SBI at the time of issuance of notice qua the petition filed under Section 95 of IBC, 2016. Apparently, the PGs are avoiding service of notice. In the wake, the notice issued to PGs are deemed as served and proceedings qua them are set ex-parte.

List on 30.04.2024.

Sd/-

(SUBRATA KUMAR DASH)
MEMBER (T)

Sd/-

(ASHOK KUMAR BHARDWAJ)
MEMBER (J)