

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

**Item No. 216**  
**(IB)-488/ND/2022**  
**IA-1007/2024**

**IN THE MATTER OF:**

**State Bank of India**  
**(Through RP Mr. Vijender Sharma)**  
**Versus**

... **Applicant/Petitioner**

**Mr. Jai Bhagwan Bindal**

... **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** : Ms. Shweta Saini, Advocate

**For the Respondent** : Adv. Amit Dhall

**For the RP** : Mr. Vijender Sharma

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

**ORDER**

**IA-1007/2024:** In view of the averments made in the application and the submissions put forth by the Ld. Counsel for the RP who is present in person, **the IA is allowed** and the report is kept on record, subject to all just exceptions. It is amplified that the present application has been preferred in terms of the provisions of Section 106(1) of IBC, 2016 and is not such application, which need to be considered in terms of the provisions of proviso of Section 114(1) of IBC, 2016. The RP is directed to file appropriate application in the wake of the aforementioned provisions i.e. proviso to Section 114(1) of IBC, 2016 forthwith.

**Sd/-**

**(SUBRATA KUMAR DASH)**  
**MEMBER (T)**

**Sd/-**

**(ASHOK KUMAR BHARDWAJ)**  
**MEMBER (J)**