

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

Item No. 217
(IB)-489/ND/2022
IA-1009/2024

IN THE MATTER OF:

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

... **Applicant/Petitioner**

Mr. Deepak Goyal

... **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-1009/2024: 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)