

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

Item No. 207
(IB)-491/ND/2022

IN THE MATTER OF:

State Bank of India ... **Applicant/Petitioner**
(Through RP Mr. Vijender Sharma)

Versus

Mr. Subhash Aggarwal ... **Respondent**

Under Section: 95(1) of IBC, 2016

Order delivered on 28.09.2022

CORAM:

SHRI. BACHU VENKAT BALARAM DAS,
HON'BLE MEMBER (J)

SHRI. L.N. GUPTA,
HON'BLE MEMBER (T)

PRESENT:

For the Applicant : Mr. Bheem Sain Jain, Adv

For the Respondent : Ms. Kritika Khanna, Mr. Arindam Ghose,

ORDER

This is an application filed by the State Bank of India through Resolution Professional Mr. Vijender Sharma under Section 95(1) of IBC, 2016. Ld. Counsel appearing for the Applicant submits that the Respondent/Personal Guarantor have already been served with the notice and they have appeared on the last date. Ms. Kritika Khanna, Advocate is appearing on behalf of the Personal Guarantor. Ld. Counsel appearing for the Applicant further stated that the demand notice has been properly served to the Personal Guarantor and the guarantee was invoked vide letter dated 15.03.2019. Also the bank has issued demand notice dated 29.07.2019.

As per the provisions of the Law, on filing of this application, the interim moratorium commences as stipulated under Section 96(1) (a) in relation to all debts of the Personal Guarantor.

As proposed by the Applicant/Guarantor, this Bench, under Section 97(3) of IBC 2016, appoints Mr. Vijender Sharma as Resolution Professional, whose details are given below :

IBBI Registration No. : IBBI/IPA-003/IP-N00003/2016-2017/10022

E-mail Address : vijender@vsa.net.in


Contact Number : 9810166877

The said Resolution Professional shall exercise all the powers as enumerated under Section 99 of IBC, 2016 read with Rules made thereunder. **He is directed to enquire and made recommendations with reasons in writing for acceptance or rejection of the application within the time stipulated under Section 99 of IBC, 2016.**

The Resolution Professional shall give a copy of its Report under Section 99(7) to the Applicant of the Guarantor as soon as the same is filed before this Authority.

The Applicant and his counsel are directed to serve the copy of this order along with copy of the application and documents immediately to the Mr. Vijender Sharma, Resolution Professional by all modes for information and necessary compliance. The Court Officer is also directed to inform the RP by E-mail.

List the matter on 01.11.2022.



**(L.N. GUPTA)
MEMBER (T)**



**(BACHU VENKAT BALARAM DAS)
MEMBER (J)**