

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
COURT-VI

Item No. 102
(IB)-750(PB)/2021
IA/1941/2024

IN THE MATTER OF:
State Bank of India

...PETITIONER

Vs.

Smt. Rashmi Saxena

...RESPONDENT

Section

U/s 95(1) of IB Code, 2016

Order delivered on 25.04.2024
HYBRID HEARING (PHYSICAL & VC)

Coram:

SHRI MAHENDRA KHANDELWAL, HON'BLE MEMBER (JUDICIAL)
SHRI RAHUL BHATNAGAR, HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Petitioner/Applicant :
For the Respondent :

ORDER

IA/1941/2024

This is a modified list of creditors filed by the RP under Regulation 8(2) of IBBI (Insolvency Resolution Process for Personal Guarantors to Corporate Debtors) Regulations, 2019. Heard Ld. Counsel for the RP who submitted that an original Creditor has assigned its debt to ARCIL and therefore, they have filed this modified list of creditors in terms of Regulation 8(2) of the Regulation 2019. We found that as per Regulation 8(2) RP is suppose to file the revised list of Creditors within two days of revision. It was submitted by Ld. Counsel for the RP that inadvertently, he had sought permission from the CoC, although under the law it is not necessary to call a meeting of the CoC before filing an application under Regulation 8(2) before the Adjudicating Authority. However, since the RP was under mistaken impression and keeping in view the other facts and circumstances of the case, we condone the delay of 91 days in filing the modified list of Creditors in terms of Regulation 8(2). With these observations, IA stands **disposed** off.

Sd/-
(Rahul Bhatnagar)
Member (T)

Sd/-
(Mahendra Khandelwal)
Member (J)