

**NATIONAL COMPANY LAW TRIBUNAL
ALLAHABAD BENCH
PRAYAGRAJ**

CORAM:

1. SHRI PRAVEEN GUPTA,
HON'BLE MEMBER (JUDICIAL)
2. SHRI ASHISH VERMA,
HON'BLE MEMBER (TECHNICAL)

Date of Order: 23rd April, 2024

Attendance-Cum-Order Sheet of the Hearing.

ITEM NO.101 – CP (IB) NO.331/ALD/2018

NAME OF THE COMPANY	ORIENTAL BANK OF COMMERCE (NOW PUNJAB NATIONAL BANK) V/S M/S SIMBHAOLI SUGARS LTD
UNDER SECTION	7 OF IBC

ITEM NO.102 – CP (IB) NO.455/ALD/2019

NAME OF THE COMPANY	PUNJAB NATIONAL BANK V/S M/S SIMBHAOLI SUGARS LTD
UNDER SECTION	7 OF IBC

ITEM NO.103 – IA NO.132/2024 IN CP (IB) NO.66/ALD/2022

NAME OF THE COMPANY	STATE BANK OF INDIA V/S M/S SIMBHAOLI SUGARS LIMITED
UNDER SECTION	7 OF IBC

COUNSEL APPEARED THROUGH PHYSICAL/ VIRTUAL HEARING:

- Sh. Ashok Bhatnagar, Adv. : *For the Financial Creditor
(item no.101 & 102)*
- Sh. Sandeep Arora, Adv. : *For the Financial Creditor
(item no.103)*
- Sh. Shubham Agarwal, Adv. : *For Applicant in IA No.132/2024*
- Sh. Krishnendu Datta, Sr. Adv. assisted by : *For the Corporate Debtor*
Sh. Rohan Gupta & Ms. Kriti Gupta, Adv.

-Sd-

-Sd-

ORDER

ITEM NO.102 – CP (IB) NO.455/ALD/2019 &

ITEM NO.103 – CP (IB) NO.66/ALD/2022

1. Ld. Counsels representing their respective parties are present.
2. Ld. Sr. Counsel representing the Corporate Debtor has continued his arguments on behalf of the Corporate Debtor.
3. Further arguments to continue on 25th April, 2024 to come up higher on Board.

ITEM NO.103 – IA NO.132/2024 IN CP (IB) NO.66/ALD/2022

1. This application has been filed by the Applicants, who are the farmers engaged in farming of sugarcane and supplying sugarcane to the Respondent/ Corporate Debtor through various cane societies.
2. The prayer *interalia* has been made in the present application for impleadment of Applicants as a party in the ongoing present litigation filed by the Financial Creditor i.e. the State Bank of India U/s 7 of the Code. Further, prayer has also been made for seeking directions to be issued to the Applicant/ Bank from taking any further actions under the provisions of the Insolvency and Bankruptcy Code, 2016.
3. Let notice of the present application be issued to the non-applicant/ respondent.
4. Ld. Counsel, Sh. Sandeep Arora representing the Financial Creditor

-Sd-

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accepts notice, and therefore waives service. He opposes the present application *inter alia* on the maintainability of the present application. He also seeks and is granted two days time to file the written submissions on behalf of the Financial Creditor.

5. Let the same be done within the aforesaid stipulated period by serving an advance copy to the other side.
6. The matter is adjourned for 25th April, 2024 to come up higher on Board along with the main petition filed U/s 7 of the Code.
7. The photocopy of this order be placed on record in all the connected matters.

-Sd-
(Ashish Verma)
Member (Technical)

-Sd-
(Praveen Gupta)
Member (Judicial)

23rd April, 2024

Kavya Prakash Srivastava
(Stenographer)