

**IN THE NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH (COURT-I)
KOLKATA**

**I.A. (IB) No. 1693/KB/2022
and
I.A. (IB) No. 1988/KB/2023
and
C.P. (IB) No. 129/KB/2022**

Under section 7 of the Insolvency and Bankruptcy Code, 2016 read with rule 4 of the
Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016.

In the matter of:

State Bank of India

... Financial Creditor

versus

Simplex Infrastructures Limited

... Corporate Debtor

And

I.A. (IB) No. 1693/KB/2022

*An Application under section 60(5) of the Insolvency and Bankruptcy Code, 2016
read with rule 11 of the National Company Law Tribunal Rules, 2016.*

In the matter of:

Simplex Infrastructures Limited

... Applicant

versus

State Bank of India

... Respondent

And

I.A. (IB) No. 1988/KB/2023

*An Application under section 60(5) of the Insolvency and Bankruptcy Code, 2016
read with rule 11 of the National Company Law Tribunal Rules, 2016.*

In the matter of:

Simplex Infrastructures Limited

... Applicant

versus

State Bank of India

... Respondent

Order pronounced on: 02 May 2024

Coram:

Shri Rohit Kapoor : **Member (Judicial)**

Shri Balraj Joshi : **Member (Technical)**

**IN THE NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH (COURT-I)**

**I.A. (IB) No. 1693/KB/2022 & I.A. (IB) No. 1988/KB/2023
In C.P. (IB) No. 129/KB/2022**

Appearances (through hybrid mode):

- | | |
|----------------------------|--|
| For the Financial Creditor | 1. Mr. Abhrajit Mitra, Senior Advocate
: 2. Mr. Santosh Kumar Ray, Advocate
3. Ms. Swastika Sengutpa, Advocate |
| For the Corporate Debtor | : 1. Mr. Joy Saha, Senior Advocate
2. Mr. Viswarup Acharya, Advocate |

ORDER

Per: Coram

1. The Court convened through hybrid mode.
2. I. A. (IB) No. 1693/KB/2022 and I.A. (IB) No. 1988/KB/2023 were heard and reserved for orders.
3. In the interregnum, when the main Company Petition was listed on 22 April 2024, the learned Counsel appearing on behalf of the Financial Creditor submitted that the State Bank of India (“Financial Creditor”) has filed an application seeking substitution of NARCL in place of State Bank of India.
4. Since the outcome of the I.A. for substitution would affect the decision in I. A. (IB) No. 1693/KB/2022 and I.A. (IB) No. 1988/KB/2023, accordingly, I. A. (IB) No. 1693/KB/2022 and I.A. (IB) No. 1988/KB/2023 are brought back on board.
5. List all the I.A.’s along with the main CP on 22 May 2024.

Balraj Joshi
Member (Technical)

Rohit Kapoor
Member (Judicial)

Signed on this, the 2nd day of May 2024.