

NATIONAL COMPANY LAW TRIBUNAL  
COURT-V, MUMBAI BENCH

110. IA/1695/2024 C.P. (IB)/66(MB)2020

**IN THE MATTER OF**

M/S. Shree Shyam Trading Company

... Petitioner

Vs

M/S. Mohota Industries Ltd

... Respondent

U/s 9 of the Insolvency and Bankruptcy Code, 2016

**Order Delivered on 16.04.2024**

CORAM:

MS. REETA KOHLI,  
MEMBER (J)

MS. MADHU SINHA,  
MEMBER (T)

**Appearance through VC/Physical/Hybrid Mode:**

For the Applicant: Adv. Rishi Thakur (PH)

For the Respondent:

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**ORDER**

**IA 1692 of 2024**- The prayer in the IA is for permitting amendment to IA 2514 of 2022 to substitute the original Applicant therein with State Bank of India. Ld. Counsel for the Applicant i.e. State Bank of India has drawn our attention to the minutes of the 'Implementation of Monitoring Committee' of Mohota Industries Limited held on 29.12.2023 wherein it was decided to pursue the PUFÉ transactions through the Financial Creditor, State Bank of India. The perusal of the order dated 19.05.2023 shows that only one nominee of Financial Creditors were to be part of IMC. The other Financial Creditor i.e. Bank of India has neither been made party nor have they been intimated about the fact of SBI taking over proceedings of pending PUFÉ Applications.

At this stage, the Ld. Counsel for the Applicant submits that he shall be getting an NOC from the Bank of India before the next date of hearing. Let the NOC be placed on record. Adjourned to **13.05.2024**.

Sd/-  
MADHU SINHA  
Member(Technical)  
/Ziyaul/

Sd/-  
REETA KOHLI  
Member(Judicial)