

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

Item No. 207
(IB)-488/ND/2022

IN THE MATTER OF:

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

Versus

Mr. Jai Bhagwan Bindal

...

Respondent

Under Section: 95(1) of IBC, 2016

Order delivered on 20.12.2022

CORAM:

**SHRI ASHOK KUMAR BHARDWAJ,
HON'BLE MEMBER (J)**

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

PRESENT:

For the Applicant : Adv. Bheem Sain Jain

ORDER

The present application is preferred under Section 95(1) of the IBC, 2016 by State Bank of India with a prayer to initiate IR process against the Respondent and to appoint an RP. Ld. Counsel for the Applicant submitted that the Applicant has issued the demand notice to Respondent, which was duly served upon him. According to the Ld. Counsel, the Applicant has also invoked the Bank Guarantee vide letter dated 15.03.2019, which is annexed at page No. 219 of the application.

As per the relevant provisions of the IBC, 2016 on filing of this application, the interim moratorium stood commenced by operation of law i.e. in terms of Section 96(1) (a) of IBC, in relation to all debts of the Personal Guarantor.

As proposed by the Applicant/Guarantor, this Bench appoints Mr. Vijender Sharma (Email ID vijender@vsa.net.in) as Resolution Professional, the details of the IP, appointment as IRP in the present matter are given below:

IBBI Registration No. : IBBI/IPA-003/IP-N00003/2016 2017/10022
E-mail Address : vijender@vsa.net.in
Contact Number : 9810166877

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

The Resolution Professional shall give a copy of its Report to the Applicant as well as the debtors of the Applicant 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 upon 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 03.02.2023.

→ sd -

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

→ sd -

**(ASHOK KUMAR BHARDWAJ)
MEMBER (J)**