

**THE NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH**

Item No. 27

**IA Nos. 922/2022, 1737/2022, 104/2023,
105/2023, 1414/2022, 1418/2022, 1419/2022,
1420/2022, 1640/2022, 1641/2022, 118/2023,
119/2023**

and

**CP (IB) No. 221/Chd/Hry/2021
(Admitted)**

**Under Section 9 of the Insolvency
and Bankruptcy Code, 2016 and
Rule 11 of NCLT Rules, 2016**

In the matter of:-

Sachin Jain, Proprietor,
Shree Shanti Nath Steels

...Petitioner-Operational Creditor

Vs.

SBA Industries Pvt. Ltd.

...Respondent-Corporate Debtor

Present :

Mr. Arun Kumar, Advocate for the applicant in IA Nos. 922/2022 & 1418/2022 and for the respondent in IA No. 1737/2022.

Ms. Pridhi Singla, Advocate for the applicant-RP in IA Nos. 17323/2022, 104/2023 & 105/2023.

Mr. Drupad Sangwan, Advocate for respondent No. 4 in IA No. 1527/2022.

None for respondent No. 3-Statutory Auditor in IA No. 922/2022.

Mr. Deepankur Sharma, Advocate for the RP in IA Nos. 1414/2022, 1418/2022, 1419/2022, 1420/2022, 1640/2022, 1641/2022, 118/2023, 119/2023.

IA No. 922/2022

Heard the learned counsel. One last opportunity is given to the respondents to file their reply within four weeks with a copy in advance to the counsel opposite, failing which their right to reply will be closed. Rejoinder thereto, if any, be also filed within two weeks thereafter, with a copy in advance to the counsel opposite.

IA Nos. 922/2022, 1737/2022, 104/2023, 105/2023,
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1640/2022, 1641/2022, 118/2023, 119/2023
and
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(Admitted)

None appeared on behalf of the respondent No.3-statutory auditor. He is directed to file his reply within four weeks with a copy in advance to the counsel opposite and be present on the next date of hearing. Rejoinder to the reply, if any, be also filed within two weeks thereafter, with a copy in advance to the counsel opposite.

It is seen from the records that by e-mail dated 16.09.2022, the requirements have been already clearly communicated by the Interim Resolution Professional. He is directed to send another email to all the respondents specifying the requirements and place the same alongwith an affidavit atleast one week before the next date of hearing. List on 31.03.2023.

IA No. 1737/2022

Heard. The learned counsel for the applicant is directed to file the affidavit of service. Learned counsel for the respondent No. 4 is directed to file reply alongwith affidavit within four weeks with a copy to the counsel opposite. Rejoinder thereto, if any, be also filed within two weeks thereafter, with a copy in advance to the counsel opposite. List on 31.03.2023.

IA No. 104/2023

Heard. This is an application filed by the learned Resolution Professional seeking information from the bank on certain payments made by the Bank on behalf of the corporate debtor.

Let the notice of this application be issued to the respondent(s). The applicant shall collect the notices from the Registry and send the same by speed post as well as by e-mail, if available, immediately to the respondent(s) at

their registered address attaching therewith copy of the application and the entire paper book and the copy of this order.

In case, the service of speed post on the aforesaid respondent(s) is not effected, the applicant shall adopt the mode of substituted service and the notice of hearing be advertised in two daily newspapers (one English and one Hindi) having wide circulation in the area.

The applicant shall file affidavit of service supported by postal receipt, tracking report, paper clippings and copy of e-mail within two weeks.

Reply be filed within four weeks after receipt of notice with a copy in advance to the counsel opposite. Rejoinder thereto, if any, be filed two weeks thereafter with a copy in advance to the counsel opposite. List on 31.03.2023.

IA No. 105/2023

Heard. This is an application filed under Section 66 of the Code and there are two respondents in this matter. Let notice of this application be issued to the respondent(s). The applicant shall collect the notices from the Registry and send the same by speed post as well as by e-mail, if available, immediately to the respondent(s) at their registered address attaching therewith copy of the application and the entire paper book and the copy of this order.

In case, the service of speed post on the aforesaid respondent(s) is not effected, the applicant shall adopt the mode of substituted service and the notice of hearing be advertised in two daily newspapers (one English and one Hindi) having wide circulation in the area.

The applicant shall file affidavit of service supported by postal receipt, tracking report, paper clippings and copy of e-mail within two weeks.

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1414/2022, 1418/2022, 1419/2022, 1420/2022, 1640/2022,
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(Admitted)

Reply be filed within four weeks after receipt of notice with a copy in advance to the counsel opposite. Rejoinder thereto, if any, be filed two weeks thereafter with a copy in advance to the counsel opposite. List on 31.03.2023.

IA No. 1414/2022

This application has been filed for placing on record Sixth Progress Report for the period from 14.09.2022 to 28.09.2022. The same is taken on record subject to just exceptions and IA No.1414/2022 is disposed of accordingly.

IA No. 1418/2022

This application has been filed under Section 60(5) of the Code to place on record the Report Certifying Constitution of Committee of Creditors (COC) under Regulation 17(1) and list of creditors under Regulation 13(2)(d) of the IBBI (Insolvency Resolution Process for Corporate Persons) Regulations, 2016. The same is taken on record subject to just exceptions and IA No.1418/2022 is disposed of accordingly.

IA No. 1419/2022

This application has been filed for placing on record Fourth Progress Report for the period from 14.08.2022 to 28.08.2022. The same is taken on record subject to just exceptions and IA No.1419/2022 is disposed of accordingly.

IA No. 1420/2022

This application has been filed for placing on record Fifth Progress Report for the period from 29.08.2022 to 13.09.2022. The same is taken on

record subject to just exceptions and IA No.1420/2022 is disposed of accordingly.

IA No. 1640/2022

This application has been filed for placing on record Seventh Progress Report for the period from 29.09.2022 to 13.10.2022. The same is taken on record subject to just exceptions and IA No.1640/2022 is disposed of accordingly.

IA No. 1641/2022

This application has been filed for placing on record Third Progress Report for the period from 29.07.2022 to 13.08.2022. The same is taken on record subject to just exceptions and IA No.1641/2022 is disposed of accordingly.

IA No. 118/2023

This application has been filed for placing on record Eleventh Progress Report for the period from 28.11.2022 to 12.12.2022. The same is taken on record subject to just exceptions and IA No.118/2023 is disposed of accordingly.

IA No. 119/2023

This application has been wrongly listed.

Sd/-
(Subrata Kumar Dash)
Member (Technical)

Sd/-
(Harnam Singh Thakur)
Member (Judicial)

January 16, 2023
VN

IA Nos. 922/2022, 1737/2022, 104/2023, 105/2023,
1414/2022, 1418/2022, 1419/2022, 1420/2022, 1640/2022,
1640/2022, 1641/2022, 118/2023, 119/2023
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