

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal(AT)(Insolvency) No. 40 of 2020

IN THE MATTER OF:

Harkirat Singh Bedi

...Appellant

Vs

The Oriental Bank of Commerce & Anr.

....Respondents

Present:

For Appellant: Mr. Sudhir K Sharma, Advocate

**For Respondents: Mr. Arjun Krishnan and Ms. Khushboo Mittal,
Advocates for Respondent No. 2 – Liquidator.**

**Mr. V.M. Kannan, Mr. Sambit Panja and Mr.
Sanjay, Advocates for State Bank of India.**

O R D E R
(Through Virtual Mode)

19.08.2020 Heard the Learned Counsel for the Applicant in I.A. No. 622 of 2020. The said Application is projected by State Bank of India, Bengaluru as an Applicant averring that it is the ‘Lead Bank of the Consortium’, one of the Financial Creditors of the Corporate Debtor.

2. According to the Applicant/State Bank of India, it is a necessary party to the instant Company Appeal and therefore, it ought to be provided with an opportunity of being heard. Hence the present Impleadment Application is to be allowed in the interest of justice.

3. Taking into consideration that the Applicant/State Bank of India being a ‘Lead Bank of the Consortium’ and it is a necessary party to be heard through its Learned Counsel and further the name of the Learned Counsel being mentioned by the Adjudicating Authority in the Impugned Order dated

08.11.2019 in I.A. No. 498 of 2019 in C.P.(IB) No. 17/BB/2019, at this stage, this Tribunal deems it fit and proper to allow the Impleadment Application to prevent an aberration of justice and to promote substantial cause of justice.

4. In view of the fact that I.A. No. 622 of 2020 (Impleadment Application) is allowed by this Tribunal today, the Learned Counsel for the Appellant is directed to carry out necessary amendment in the 'Memo of Parties' in the instant Company Appeal within one week from today.

5. Reply Affidavit of 1st Respondent has already been filed. Respondent No. 2- Liquidator had also filed Reply/Response. It is represented that the newly impleaded party i.e. State Bank of India, Bengaluru had filed Reply Affidavit vide diary No. 18673 on 05.02.2020 and hence the Office of the Registry is directed to keep the said Reply Affidavit of Respondent No. 3 along with the material papers of the present appeal. Rejoinder, if any, by the Appellant for the Reply Affidavits/Response for Respondent Nos. 1 to 3 may be filed within one week thereafter.

Registry is directed to List the Appeal on **8th September, 2020**.

[Justice Venugopal M.]
Member (Judicial)

(Kanthi Narahari)
Member(Technical)

Akc/Km