

**NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH, COURT – II
CHENNAI**

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF NATIONAL COMPANY LAW TRIBUNAL, CHENNAI BENCH, HELD ON 09-05-2024 AT 10.30 A.M. THROUGH VIDEO CONFERENCING:

**PRESENT : SHRI. JYOTI KUMAR TRIPATHI, HON'BLE MEMBER (JUDICIAL)
SHRI. RAVICHANDRAN RAMASAMY, HON'BLE MEMBER (TECHNICAL)**

IN THE MATTER OF : **Cethar Ltd**

PETITION NUMBER : **CP/511/IB/2017**

APPLICATION NUMBER : **a) MA/261/IB/2018
b) MA/350/IB/2019
c) MA/04/2018
d) IA(IBC)/1231(CHE)/2023
e) IA(IBC)/1234(CHE)/2023**

ORDER

208.a. MA/261/IB/2018 IN CP/511/IB/2017

Ld. Counsel Mr. Dev Eshwar for the Applicant. Ld. Counsel Mr.A.G. Sathyanarayana for the Liquidator.

In this case the Applicant has already filed the claim during the CIRP of M/s. Cethar Constructions Limited and the same has been admitted. The Applicant has made this Application against M/s. Cethar Limited as M/s. Cethar Limited is under Liquidation and M/s. Cethar Limited has executed deed of guarantee in favour of ICICI bank on 06.04.2011. On this specific issue of liability of the Corporate Debtor namely M/s. Cethar Limited towards ICICI Bank Limited in the context of the above agreement needs to be responded by the Liquidator of M/s. Cethar Limited. The Liquidator of M/s. Cethar Limited has rejected the claim of the Applicant on 28.06.2018 as the same has been filed belatedly.

Contd ... 2

/2/

In the above rejection the Liquidator has dealt with the issue that the claim pertains to M/s. Cethar Constructions Ltd and not M/s. Cethar Limited without considering the Deed of Guarantee between M/s. Cethar Limited and ICICI Bank Limited as stated above.

The Liquidator is directed to make his submission on the above within 2 weeks.

Post the case for hearing on **27.06.2024**.

208.b. MA/350/IB/2019 IN CP/511/IB/2017

208.c. MA/04/2018 IN CP/511/IB/2017

Post the applications for hearing on **27.06.2024**.

208.d. IA(IBC)/1231(CHE)/2023 IN CP/511/IB/2017

208.e. IA(IBC)/1234(CHE)/2023 IN CP/511/IB/2017

Ld. Counsel Mr. G. Dinesh Kumar for the Applicant. Ld. Counsel Mr. A.G. Sathyanarayana for the Respondent / Liquidator

Counter is yet to be filed.

Reply be filed within 2 weeks.

Rejoinder be filed within a week thereafter.

Post the Applications for hearing on **27.06.2024**.

-Sd-

RAVICHANDRAN RAMASAMY
Member (Technical)

phk

-Sd-

JYOTI KUMAR TRIPATHI
Member (Judicial)