

**IN THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH**

COURT – IV

47

C.P. (IB)/332(MB)2023

CORAM:

MS. ANU J. SINGH
MEMBER (Technical)

SHRI KISHORE VEMULAPALLI
MEMBER (Judicial)

ORDER SHEET OF THE HEARING HELD ON **05.04.2024**

NAME OF THE PARTIES:

Intec Capital Limited
VS
Sarika Suresh Talegaonkar

SECTION: 95(1) OF THE INSOLVENCY AND BANKRUPTCY CODE, 2016

ORDER

1. None present.
2. Counsel for the Financial Creditor filed this petition against the Corporate Debtor/Respondent u/s 95 of the Code on the ground that the Respondent is co-borrower.
3. This bench is taken a considered view that the Respondent has not executed any personal guarantee to the loan borrowed by the principle borrower. The Respondent has executed a business loan agreement as a co-borrower along with the principle borrower. Without any personal guarantee executed by the Respondent the Financial Creditor has filed this petition against Respondent. Hence, the present petition is not maintainable. Accordingly, C.P.(IB)/332(MB)2023 is **dismissed as not maintainable**.

Sd/-
ANU J. SINGH
Member (Technical)

Sd/-
KISHORE VEMULAPALLI
Member (Judicial)