

**IN THE NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH (COURT- I) CHENNAI**

ATTENDANCE CUM ORDER SHEET OF THE HEARING
HELD ON **30.04.2024** THROUGH VIDEO CONFERENCING

PRESENT: HON'BLE SHRI. SANJIV JAIN, MEMBER (JUDICIAL)
HON'BLE SHRI. VENKATARAMAN SUBRAMANIAM, MEMBER (TECHNICAL)

APPLICATION NUMBER :
PETITION NUMBER : CP(IB)/65(CHE)/2023
NAME OF THE PETITIONER(S) : RKJ Enterprises
NAME OF THE RESPONDENTS : S Kadarkarai
UNDER SECTION : Sec 95 of IBC, 2016

ORDER

Present: Ld. Counsel Ms. Salma for the Petitioner.

Till date Deed of Guarantee not filed as directed vide an order dated 15.04.2024.

Petitioner has stated that it has only Demand Promissory Note (DPN) dated 31.01.2021, jointly signed by the Corporate Debtor and the Respondent. It does not have any deed of guarantee.

As the Respondent has signed as a co-borrower in the DPN, the petition under Section 95 of IBC, 2016 cannot be maintained.

The petition is **dismissed** with no orders as to cost.

Petition be consigned to records.

Sd/-

(VENKATARAMAN SUBRAMANIAM)
MEMBER (TECHNICAL)

MG

Sd/-

(SANJIV JAIN)
MEMBER (JUDICIAL)