

**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 06-05-2024 AT
10.30 A.M. THROUGH VIDEO CONFERENCING:**

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

APPLICATION NUMBER : --

PETITION NUMBER : CP/IBC/98/2024

NAME OF THE PETITIONER : Seah Precision Metal (Thailand) Co.,

NAME OF THE RESPONDENT(S) : Yoe Yoe Electronics India Pvt Ltd

UNDER SECTION : Sec 9 Rule 6 of IBC 2016

ORDER

Ld. Counsel Mr.Arun C Mohan for the Petitioner. Ld. Counsel
Mr. Naveen Kumar Murthi for the Respondent

This is an application filed under section 9 of IBC, 2016.

The issue before us is joint guarantee provided by the Corporate Debtor for the transaction between the debtor based in Vietnam and the creditor based in Thailand. The long term debt payment joint guarantee dated 12.09.2022 states clearly that the joint guarantee shall be interpreted and governed by the law of the Republic of Korea. The Applicant stated that they have filed a case in Seoul Central District Court against the original debtor and the corporate Debtor being the joint guarantor. The case is still pending. **The Applicant is directed** to clarify jurisdiction and maintainability of this application.

Applicant is directed to serve copy of the Application on the Respondent and file AOS.

Reply be filed within two weeks.

Rejoinder, if any, be filed within a week thereafter.

List the petition for hearing on **25.06.2024**.

-Sd-
RAVICHANDRAN RAMASAMY
Member (Technical)

-Sd-
JYOTI KUMAR TRIPATHI
Member (Judicial)