

**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/200/2023
NAME OF THE PETITIONER : Arjun Saikumar
NAME OF THE RESPONDENT(S) : Danalakshmi Paper Mills Pvt Ltd
UNDER SECTION : Sec 9 Rule 6 of IBC 2016

ORDER

Ld. Counsel Mr. Ashlyn Christo for the Petitioner. Ld. Counsel Mr. B. Dhanaraj for the Respondent.

In this case the Petitioner has outstanding of only Rs.89,78,530.54/- as per the ledger balance as on September 2023.

However they have added additional sum of Rs.47,86,667/- which includes 17 debit notes on account of TDS, credit notes on Letter of Credit interest and overdue interest debit. The Counsel for the Respondent brought to the notice in their reply dated 12.02.2024 at page no.82 the GST payment has been mentioned as on 16.10.2023 and 17.10.2023 and the same has not been duly brought to the notice of this Tribunal.

The Applicant mentioned about the debit note in the Application and not the credit note. The act of the Applicant is in the nature of misleading this Tribunal about the amounts shown as due in their Application.

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Applicant is directed to file an affidavit explaining the above within a week on or before 12.05.2024 and copy of the affidavit be served to the Respondent.

List the petition for hearing on **06.06.2024**.

-Sd-

RAVICHANDRAN RAMASAMY
Member (Technical)

-Sd-

JYOTI KUMAR TRIPATHI
Member (Judicial)

phk