

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
AT CHENNAI
(APPELLATE JURISDICTION)

Company Appeal (AT) (CH) (Ins) No.192/2026
(IA Nos. 551 & 552 / 2026)

In the matter of:

Madhusudan Khemka
V
Canara Bank & Anr.

... Appellant

...Respondents

With
Company Appeal (AT) (CH) (Ins) No.193/2026
(IA Nos. 554 & 555 / 2026)

In the matter of:

R Sundaresh
V
Canara Bank & Anr.

... Appellant

...Respondents

Present :

For Appellant : Mr. Arvinth Pandian, Senior Advocate
For Ms. J. Parimalam, Advocate
For Respondents : Mr. MS Viswanathan, Advocate for R1
Ms. G. Janani, Advocate for R2

ORDER
(Hybrid Mode)

30.07.2026: These two appeals are preferred challenging an order passed by the learned adjudicating authority under Section 100 of IBC.

Very evidently, the appellants herein are the personal guarantors, a status and a legal relationship they strongly disputed, as they contend that even the very document of guarantee is forged.

The learned counsel for the appellant continues that earlier the 1st respondent/the financial creditor, had moved to DRT in OA No. 801/2019 on the strength of the same deed of guarantee which the appellants now dispute.

The DRT required the bank to prove the document and its genuineness. The bank, however, promptly withdrew OA No. 801/2019 and moved the learned adjudicating authority with the petition under Section 95 IBC. And the learned adjudicating authority, in the impugned order, overlooked the conduct of the banker but admitted, the petition u/s. 100 without even asserting the genuineness of the signature of the appellants, which they have been consistently disputing.

Heard the appellants. The appellant is also required to submit a short note of submission.

List the matter on **06.08.2026**, under the caption 'Part Heard' @ 12:45 PM.

[Justice N. Seshasayee]
Member (Judicial)

[Jatindranath Swain]
Member (Technical)

SN/MS/AK