

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

ATTENDANCE CUM ORDER SHEET OF THE HEARING
HELD ON **16.07.2026** THROUGH VIDEO CONFERENCE

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

IN THE MATTER OF : State Bank of India
Vs
R Vasuki

MAIN PETITION NUMBER : C.P. (IB)/81(CHE)2022

(IA/MA) APPLICATION NUMBERS

IA(I.B.C)/1197(CHE)2026

ORDER

IA(I.B.C)/1197(CHE)2026

Present: Mr. Arvind Rajagopal, Ld. Counsel for the RP along with RP.

1. This Application has been filed under Section 106(1A) of IBC, 2016 r/w Regulation 17B for termination of insolvency proceedings against the Personal Guarantor.

2. Ld. Counsel submits that before filing of application, matter was placed before the CoC and a resolution was passed for termination of insolvency and for filing bankruptcy application.

3. Briefly the facts are that the insolvency resolution process against Mrs. Vasuki, Personal Guarantor of Suryabalaji Steels Private Limited and Sri Padmabalaji Steels Private Limited, was initiated on an application under Section 95 of the IBC, 2016, filed by State Bank of India (The Financial creditor) vide an order dated 28.04.2026 in CP(IB)/81(CHE)/2022. Mr. R.Sankaran was appointed as the RP.

4. The RP made the Public Announcement on 10.05.2026 in New Indian Express (English) and Dinamani (Tamil) – Coimbatore Edition, in accordance with Section 102 read with Regulation 4 of the Insolvency and Bankruptcy (Application to Adjudicating Authority for Insolvency Resolution Process for Personal Guarantors to Corporate Debtors) Rules, 2019.

5. The RP received claim from the creditor, State Bank of India for a sum of Rs.665,85,43,825.23/- vide Form-B dated 22.05.2026 and subsequently revised the calculation of their claim amount to Rs.312,62,02,252.73./- on 10.06.2026 and admitted subject to verification, reconciliation and revision, if any.

6. The list of creditors was prepared on 08.06.2026 and the revised list of creditors was prepared on 15.06.2026.

7. The Applicant issued e-mails to the Personal Guarantor on 06.05.2026, 11.05.2026, 21.05.2026, 28.05.2026, 01.06.2026 and 23.06.2026. However, the Applicant has not received any response from the Personal Guarantor.

8. In the 1st meeting of the Creditor held on 19.06.2026, which was attended only by the representative of the sole creditor, State Bank of India, RP apprised the developments. The Personal Guarantor did not attend the meeting. In view of the non submission of the repayment plan by the Personal Guarantor, State Bank of India approved the filing of the present application / report under Section 106(1A) r/w Regulation 17B. The resolutions passed in item Nos. 6 and 7 are extracted as under:-

"6. APPROVAL FOR FILING APPLICATION CONCERNING NON-COOPERATION OF THE PERSONAL GUARANTOR

"RESOLVED THAT, pursuant to the applicable provisions of the Insolvency and Bankruptcy Code, 2016 and the Rules and Regulations made thereunder, the Creditors hereby approve the filing of appropriate application(s) before the Adjudicating Authority in relation to the continued non-cooperation and non-furnishing of complete information and records by the Personal Guarantor in the Insolvency Resolution Process of Mrs. R. Vasuki, Personal Guarantor to Suryabalaji Steels Private Limited and Sri Padmabalaji Steels Private Limited, Corporate Debtors."

"RESOLVED FURTHER THAT, the Resolution Professional is hereby authorised to engage legal counsel, incur legal expenses and take all consequential steps, including filing affidavits, compliance submissions and attending to further proceedings before the Hon'ble National Company Law Tribunal, in connection with the aforesaid application concerning non-cooperation of the Personal Guarantor, without the need for separate approvals for each such step."

"7. APPROVAL FOR FILING APPLICATION/REPORT UNDER REG. 17B OF THE IBBI (INSOLVENCY RESOLUTION PROCESS FOR PERSONAL GUARANTORS TO CORPORATE DEBTORS) REGULATIONS, 2019

"RESOLVED THAT, pursuant to the applicable provisions of the Insolvency and Bankruptcy Code, 2016 and the Rules and Regulations made thereunder, the Creditors hereby approve the filing of the application/report under Regulation 17B of the IBBI (Insolvency Resolution Process for Personal Guarantors to Corporate Debtors) Regulations, 2019, owing to the non-submission of the Repayment Plan by the Personal Guarantor, in respect of the Insolvency.

9. The resolution process commenced on 28.04.2026 and the 120 days deadline will expire on 26.08.2026. However, the last date for submission of claims as per the public notice issued by the Applicant ended on 24.05.2026 and the 21 days time from thereon as per Section 106(1A) of the Code ended on 14.06.2026. Section 106(1A) is reproduced as under: -

"Where no repayment plan is submitted within the period stipulated under sub-section (1), the resolution professional shall submit a report to the Adjudicating Authority, and the Adjudicating Authority shall pass an order terminating the insolvency resolution process of the debtor and the debtor or the creditors shall be entitled to file an application for bankruptcy under Chapter IV."

As the Personal Guarantor has not submitted the repayment plan within 14.06.2026, the present application has been filed seeking to pass an order terminating the insolvency resolution process of the Personal Guarantor and the creditors shall be entitled to file an application for bankruptcy under Chapter IV.

10. Considering that no repayment plan has been submitted by the Personal Guarantor, the insolvency process against the Personal Guarantor cannot be proceeded further.

11. The Tribunal therefore closes the Personal Guarantee resolution process in view of the provisions contained under Section 106(1A) of IBC and discharges the resolution Professional.

12. The Creditors or the Personal Guarantor are given liberty to file Bankruptcy application against the Personal Guarantor namely Mrs. Vasuki.

13. Copy of this order be sent to IBBI for making entry in the register.

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[VENKATARAMAN SUBRAMANIAM]
MEMBER (TECHNICAL)

MS

-sd-

[SANJIV JAIN]
MEMBER (JUDICIAL)

Date: 16.07.2026