

IBC S. 9 – Joint petition – Workmen/employees (Operational Creditors) may file an application to initiate CIRP in an individual capacity or as a joint capacity by the authorized person – However, None of the respective/individual Petitioner’s meet or satisfy the pecuniary limit of Rs. 1 crore individually which is essential for maintaining an action under Section 9 of the Code – As the claim 19 of 21 of each petitioner was below the threshold limit – Not maintainable. *Suresh Narayan Singh vs. Tayo Rolls Limited (2018 SCC OnLine NCLAT 557)*, referred.

IBC S. 7, 9 – Phrase in Section 7 is “itself or jointly”, whereas the word jointly or any synonym of it is not finding place in Section 9 of the Code.

Atanu Kumar Chatterjee v. Rolata Defence Technology Systems Private Limited. ,
2023 PLRonline 0118 (NCLT Mum.)

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