

**IN THE NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH – 1
VC AND PHYSICAL (HYBRID) MODE
ATTENDANCE CUM ORDER SHEET OF THE HEARING HELD ON
30-04-2026 AT 12:10 P.M.**

**CP (IB) No. 191/95/HDB/2023
AND
IA (IBC) 34/2026 in CP (IB) No. 191/95/HDB/2023
u/s. 95 of IBC, 2016**

IN THE MATTER OF:

Bank of Baroda

...Petitioner

AND

Mr. BV Subbha Rao and
M/s. Kanakadhara Ventures Private Limited

...Respondent

C O R A M:-

SH. RAJEEV BHARDWAJ, HON'BLE MEMBER (JUDICIAL)
SH. SANJAY PURI, HON'BLE MEMBER (TECHNICAL)

O R D E R

IA (IBC) 34/2026

Present: Mr. Srikanth Rati, Ld. Counsel for the Applicant.

Orders pronounced, recorded vide separate sheets.

In the result, this application is allowed and disposed of.

Sd/-

MEMBER (T)

Sd/-

MEMBER (J)

**NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH-1**

IA NO. 34 OF 2026

IN

CP (IB) No. 191/95/HDB/2023

**IN THE MATTER OF MR. B.V. SUBBA RAO (PERSONAL GUARANTOR TO
M/S KANAKADHARA VENTURES PRIVATE LIMITED)**

BETWEEN:

BANK OF BARODA

Head office: Baroda House, Mandvi,
Vadodara 390006, Gujarat
Stressed Asset Management Branch
at 4th Floor, JBAS Building, No.45, Moore Street,
Chennai-600001.

... FINANCIAL CREDITOR

VERSUS

1. MR. B.V. SUBBA RAO

H. No. 11-5-413/302, Bhargav Krishna
Residency, 3rd floor, Red Hills,
Hyderabad – 500004

**... RESPONDENT NO.1 /
PERSONAL GUARANTOR**

2. M/S. KANAKADHARA VENTURES PRIVATE LIMITED

Registered office at H.No.8-3-1114/1,
Keshav Nagar, Srinagar Colony,
Hyderabad - 500073.
Represented by its Liquidator.

**... RESPONDENT NO. 2 /
CORPORATE DEBTOR**

Date of order: 30.04.2026

Coram:

Shri Rajeev Bhardwaj, Hon'ble Member (Judicial)
Shri Sanjay Puri, Hon'ble Member (Technical)

Appearance:

For Applicant: Mr. Manav Gecil Thomas, Advocate

For Respondent: None/ set ex-parte

ORDER

1. The present Application is filed by the Applicant/Bank of Baroda under Section 123 of the Insolvency and Bankruptcy Code, 2016, r/w Rule 7 of the Insolvency and Bankruptcy (Application to Adjudicating Authority for Insolvency Resolution Process for Personal Guarantors to Corporate Debtor) Rules, 2019, *inter alia*, seeking initiation of Bankruptcy Proceedings against the Respondent No.1 herein Mr. B.V. Subba Rao, Personal Guarantor of M/s. Kanakadhara Ventures Private Limited.
2. It is averred that the Respondent No.2 / Corporate Debtor is the Principal Borrower and availed fund-based and non-fund-based credit facilities aggregating to Rs.27,00,00,000/- (Rupees Twenty-Seven Crore Only) vide sanction letter dated 23.09.2009, under a consortium arrangement led by Punjab National Bank, subject to the terms and conditions stipulated therein.
3. Pursuant to the said sanction, a Working Capital Consortium Agreement dated 29.09.2009 was executed among the consortium lenders for an aggregate facility of Rs.60,00,00,000/-. The consortium limits were subsequently enhanced to Rs.188,00,00,000/- (Rupees

One Hundred and Eighty-Eight Crore Only) vide agreement dated 03.11.2011, upon induction of additional member banks, namely Andhra Bank and IDBI Bank. In continuation thereof, the Corporate Debtor executed a Deed of Hypothecation dated 03.12.2011 in favour of the consortium lenders.

4. The Respondent No.1 stood as a Personal Guarantor for the credit facilities sanctioned by the Applicant to Corporate Debtor vide Deed of Guarantee dated 30.12.2014 and 25.02.2015. Under the Deed of Guarantees, Respondent No. 1/ Personal Guarantor agreed to pay all amounts due on demand without delay and to indemnify the Financial Creditor against any losses resulting from the Corporate Debtor's default.
5. The Corporate Debtor committed defaults in servicing its debt obligations, leading to classification of the loan account as Non-Performing Asset (NPA) on 11.06.2014 in accordance with applicable guidelines.
6. Upon invocation of the guarantees on 02.09.2020, the Personal Guarantor failed to discharge the liability. Consequently, proceedings under Section 95 of the Code were initiated, and this Authority admitted CP (IB) No. 191/95/HDB/2023 on 27.05.2024.
7. The Resolution Professional submitted a report under Section 112 of the Code in I.A. (IBC) No. 572/2024. In the absence of any repayment plan from the Personal Guarantor, this Authority, by order dated 15.12.2025 in IA 515/2025, permitted closure of the Personal

Insolvency Resolution Process, while granting liberty to the Applicant to initiate proceedings under Sections 121 r/w 123 of the Code.

8. The Applicant has placed on record statements of account duly certified in accordance with the Bankers' Books Evidence Act in support of the outstanding dues.
9. The cause of action arose upon invocation of the guarantee and failure of the Personal Guarantor to honour the same. The present Application is within the prescribed period of limitation.
10. Thus, the Creditor/Applicant decided to proceed with action against the Personal Guarantor by filing the present petition and this Petition has been filed within the period of 03 months from the date of the orders as per the provisions of the Code.
11. The record reveals that despite granting sufficient opportunity the Respondent/Personal Guarantor failed to appear before this Tribunal and as such he was set ex-parte vide this Tribunal order dated 17.04.2026.
12. An application for bankruptcy by the Creditor is to be accompanied by the records of the insolvency resolution process under Chapter III and also the order passed by the Adjudicating Authority under Chapter III permitting the creditor to apply for bankruptcy. We found that the above requirements stand complied as the application is accompanied by the records of Personal Insolvency Resolution Process undertaken under Chapter III against the Personal Guarantor and also the order granting leave to the creditor to apply bankruptcy.

13. Therefore, having carefully examined the application, we find that the Personal Guarantor has not filed Repayment Plan. We also find that this application is in accordance with section 123 of Insolvency and Bankruptcy Code, 2016.
14. As a result, the Personal Guarantor / Mr. B.V. Subba Rao, H. No. 11-5-413/302, Bhargav Krishna Residency, 3rd floor, Red Hills, Hyderabad – 500004, is declared as BANKRUPT and bankruptcy process is ordered as under.
- (a) **Shri RAVURU HARI PRASAD** an insolvency professional, having IBBI Registration No. IBBI/IPA-001/IP-P-02690/2022-2023/14126, Address: Flat.304; Sai Neelakanta Towers ,Chandulal Bowli, Sikh vilage, Secunderabad, Near Tadbund Hanuman temple ,Hyderabad ,Telangana, 500009, mob: 9867140700 email: hariprasadr17[at]gmail[dot]com is hereby appointed as Bankruptcy Trustee under Section 125 of the Code. The Authorization for Assignment issued to the insolvency professional is valid up to 30-Jun-26. A written consent may be filed within 3 days of receipt of the copy of this order.
- (b) The Registry is directed to provide the copy of this Bankruptcy Order and copy of the Bankruptcy Petition to the Creditors and Bankruptcy Trustee within a week as provided under Section 126(2) of Insolvency and Bankruptcy Code, 2016 and this Bankruptcy Order shall continue to have effect till the Debtor is discharged under Section 138 of Insolvency and Bankruptcy Code, 2016.

- (c)** The Bankrupt shall submit his statement of financial position to the Bankruptcy Trustee in the prescribed Form as provided under Section 129 of Insolvency and Bankruptcy Code, 2016 within seven days from the date of the order.
- (d)** The estate of the Bankrupt excluding the assets mentioned in Section 155(2) of Code r/w Rule 5 of Insolvency and Bankruptcy (Application to Adjudicating Authority for Bankruptcy Process for Personal Guarantors to Corporate Debtor) Rules, 2019 vest with the Bankrupt Trustee in pursuance of this Order, the Bankruptcy Trustee is directed to forthwith take into his custody all the assets, properties and actionable claims of the Bankrupt immediately from the date of his appointment and take necessary steps to ensure preservation, protection, security and maintenance of those properties as provided under Section 128 and 154 of Insolvency and Bankruptcy Code, 2016.
- (e)** The Bankruptcy Trustee is directed to adhere to Section 128, 129 (4), 132, 133, 134, 136 and 137 of Insolvency and Bankruptcy Code, 2016 and discharge his powers and duties as specified and meticulously adhere to the Rules and Regulations issued by IBBI in this regard from time to time.
- (f)** The Bankruptcy Trustee for the Adjudicating Authority shall send notices as provided under Section 130(a) of Insolvency and Bankruptcy Code, 2016 within ten days from the date of this order to the Creditors mentioned in statement of affairs submitted by the

Bankrupt under Section 129 of Insolvency and Bankruptcy Code, 2016.

- (g)** The Public Notice inviting claims from the Creditors as contemplated under Section 130(2) of the Code, 2016 shall be issued in one morning English daily and in one morning vernacular regional language newspapers having wide circulation where the Bankrupt resides.
- (h)** On passing of the Bankruptcy Order, subject to Section 128(2) of the Code, 2016 shall not initiate any action against the property of the Bankrupt in respect of debt and no suit or other legal proceeding shall be initiated against the Bankrupt, save and except with the leave of the Adjudicating Authority as provided in Section 128(1)(C)(ii) of the Code, 2016.
- (i)** The Bankruptcy Trustee shall conduct the administration of distribution of the estate of the Bankrupt under Chapter V as provided in Section 136 of the Code, 2016.
- (j)** The Bankrupt shall from the date of the Order be subject to such disqualifications and restrictions as prescribed under Section 140 and 141 of the Code, 2016.
- (k)** The Bankruptcy Trustee may seek such further information or explanation in connection with Bankruptcy Process as may be required from the Debtor or the Creditor or any other person who in

the opinion of the Bankruptcy Trustee, may provide such information. The persons from whom information or explanation is sought shall furnish such information or explanation within seven days of receipt of the request.

- (l)** The Bankruptcy Trustee shall exercise all the powers as enumerated under the Code, 2016 read with rules and regulations made thereunder.
- (m)** The Bankruptcy Trustee shall submit to this Adjudicating Authority and Committee a Preliminary Report within ninety days from this date of Bankruptcy Order after serving copy of the Report on Bankrupt as provided in Regulation 8 of Insolvency and Bankruptcy Board of India (Bankruptcy Process for Personal Guarantors to Corporate Debtors) Regulation, 2019.
- (n)** The Bankruptcy Trustee shall submit to this Authority periodical Progress Report within fifteen days after the end of every quarter after serving copy of the report on the Bankrupt provided under Regulation 10 of Insolvency and Bankruptcy Board of India (Bankruptcy Process for Personal Guarantors to Corporate Debtors) Regulation, 2019.
- (o)** The fee of Bankruptcy Trustee to be determined as provided under Regulation 4 of Insolvency and Bankruptcy Board of India

(Bankruptcy Process for Personal Guarantors to Corporate Debtors)
Regulation, 2019.

- (p)** The Registry is directed to send e-mail copies of the Order forthwith to all the parties and their Ld. Counsel for information and for taking necessary steps.
- (q)** A certified copy of the Order is to be issued upon compliance with requisite formalities.

SD/-

(Sanjay Puri)
Member (Technical)

SD/-

(Rajeev Bhardwaj)
Member (Judicial)