

Claims of multiple Operational Creditors cannot be clubbed into a single debt for a petition under section 9 of the IBC

The National Company Law Tribunal (NCLT) Chennai in the case of **Surasha Group of Companies vs ETA Engineering Pvt Ltd [CP(IB)/77/CHE/2024]** dated July 11, 2025, has held that claims arising from different work orders cannot be clubbed to cross the threshold limit for filing an insolvency petition under section 9 of the IBC. Furthermore, claims of multiple Operational Creditors cannot be clubbed into a single debt for a petition under section 9 of the IBC.

Regarding the submission of the petitioner that the Corporate Debtor did not raise any dispute prior to filing of the petition regarding the quantity/quality of services rendered by the Petitioner, rather it continued to avail the services and make the part payments, the Tribunal noted that the Petitioner had submitted the project specific work orders issued by the Corporate Debtor mentioning the scope of work, value, start and completion date of services. Several invoices also mention the corresponding work order number, thereby fortifying the claim of the Respondent that the work orders were project-specific, not under a consolidated work order.

Thus, the NCLT held that the Petitioner appears to have consolidated invoices from different projects to cross the threshold limit of Rs. 1 crore and claimed that they were consolidated for internal record keeping. Since the Petitioner has consolidated the claims of two entities, its own and that of its sister concern, in the second demand notice issued under section 8 of the IBC, which is not permissible, the NCLT held that a petition by multiple Operational Creditors under section 9 of the IBC is not maintainable.