

# IBC AU COURANT

Insolvency Professional Agency of Institute of Cost Accountants of India



PRESS

**“You Learn More From Failure Than From Success. Don’t Let It Stop You. Failure Builds Character.”**

## Updates on Insolvency and Bankruptcy Code

### ➤ **Jaypee Infratech insolvency: Supreme Court asks NBCC for fresh plan**

The Supreme Court on Tuesday sought state-run NBCC’s response within two days on whether it wants to submit a revised plan for completing bankrupt Jaypee Infratech’s (JIL) unfinished projects. Jaiprakash Associates, the parent company of JIL, and its promoter reiterated that they are the only ones who can deliver all the 27 projects in three years and also pay off banks’ debt with “no haircut”. Senior advocate FS Nariman and Anupam Lal Das, appearing for Jaypee, said the group had no objection if NBCC came up with a revised plan, but they should also be allowed to put forward a proposal.

Source: Financial Express

Please find the full news at:

<https://www.financialexpress.com/industry/jaypee-infratech-insolvency-supreme-court-asks-nbcc-for-fresh-plan/1695455/>

### ➤ **Sterling Biotech case: Far-reaching NCLAT order sets new bankruptcy precedent**

The National Company Law Appellate Tribunal (NCLAT) has set aside a lower court order to liquidate debt-ridden Sterling Biotech, allowing its promoters to take back control of the company once they make full payment to the lenders. The ruling may well set a precedent that will have ramifications for companies willing to clear dues after they are admitted for insolvency resolution.

In an oral order last week, a threemember NCLAT bench presided over by justices SJ Mukhopadhyay and AIS Cheema along with member (technical) Kanti Narahari, set aside the May 8 order of the National Company Law Tribunal's Mumbai bench and allowed withdrawal of a petition filed under Section 7 of the Insolvency and Bankruptcy Code (IBC). "The entire payment under OTS (one-time settlement) shall be made by the promoters and not through the corporate debtor or its properties," the NCLAT said.

**Source: Economic Times**

**Please find the full news at:**

<https://economictimes.indiatimes.com/industry/healthcare/biotech/pharmaceuticals/sterling-biotech-promoters-can-regain-control-of-co/articleshow/70969125.cms>

➤ **Anil Ambani's shipyard risks insolvency as banks spurn debt plan**

The shipyard controlled by embattled Indian tycoon Anil Ambani is facing the prospect of bankruptcy after failing to get creditors' approval for restructuring Rs 7,000 crore (\$970 million) of debt, people familiar with the matter said. India's bankruptcy tribunal will consider putting Reliance Naval & Engineering Ltd. in bankruptcy on Wednesday as no new repayment plan was submitted after lenders led by IDBI Bank Ltd. rejected an earlier offer in July, the people said, asking not to be named as the information is not public. The court can also defer the decision on bankruptcy.

**Source: Economic Times**

**Please find the full news at:**

<https://economictimes.indiatimes.com/industry/banking/finance/banking/anil-ambanis-shipyard-risks-insolvency-as-banks-spurn-debt-plan/articleshow/70957356.cms>



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