

IBC AU COURANT

Insolvency Professional Agency of Institute of Cost Accountants of India



HIGHLIGHTS

- **NCLAT Sets Aside Jyoti Structures Liquidation, Asks NCLT To Consider Rs 4,000-Crore Plan**
- **NCLT dismisses Liberty plea against rejection of its plan for Infinitas**
- **Negotiations better than insolvency: Govt official on Jet Airways**
- **An irrevocable bank guarantee can be invoked even during a moratorium period.**

Updates on Insolvency and Bankruptcy Code, 2016

➤ NCLAT Sets Aside Jyoti Structures Liquidation, Asks NCLT To Consider Rs 4,000-Crore Plan

The NCLT had on July 31, 2018, rejected the resolution plan submitted by Sanghi and had passed an order to liquidate Jyoti Structures, which had a debt of Rs 7,010.55 crore. Now, the National Company Law Appellate Tribunal has set aside the order to liquidate Jyoti Structures Ltd. and asked the Mumbai bench of NCLT to consider the Rs 4,000-crore resolution plan submitted by Sharad Sanghi and others.

Source: Bloombergquint

Please find the full news at:

<https://www.bloombergquint.com/markets/nclat-sets-aside-jyoti-structures-liquidation-asks-nclt-to-consider-rs-4000-crore-plan#gs.2c4u2l>

➤ NCLT dismisses Liberty plea against rejection of its plan for Infinitas

Chennai bench of the National Company Law Tribunal (NCLT) has dismissed an application by UK-based industrial and metals company Liberty House group, challenging the rejection of its resolution plan for Chennai-based beleaguered renewable power infrastructure solution provider, Infinitas Energy Solutions by stating that the resolution professional, the adjudicating authority or appellate authority, were not empowered to reverse the commercial decision of committee of creditors.

Source: Financial- express

Please find the full news at:

<https://www.financialexpress.com/industry/nclt-dismisses-liberty-plea-against-rejection-of-its-plan-for-infinitas/1524551/>

➤ Negotiations better than insolvency: Govt official on Jet Airways

Corporate Affairs Secretary Injeti Srinivas said that if there is inherent capacity for Jet Airways to bounce back, then it is best for members of the company and the creditors to try and see how it can be resolved. Also, If there is no agreement between the creditors and shareholders, then they will move for proceedings under the insolvency law.

Source: Financial -Express

Please find the full news at:

<https://www.financialexpress.com/industry/negotiations-better-than-insolvency-govt-official-on-jet-airways/1526566/>

➤ IBC: Moratorium Is-À-Vis Invocation Of Bank Guarantee

The Hon'ble National Company Law Appellate Tribunal, held that the performance guarantee furnished by the banks would not enjoy the benefits of a moratorium keeping in view of the amendments made in Section 14 of IBC. Therefore, an irrevocable bank guarantee can be invoked even during a moratorium period.

Source: Mondaq

Please find the full news at:

<http://www.mondaq.com/india/x/790884/Insolvency+Bankruptcy/IBC+Moratorium+visvis+Invocation>

