



INSOLVENCY PROFESSIONAL AGENCY  
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# IBC AU-COURANT

LATEST UPDATES ON INSOLVENCY AND BANKRUPTCY

*"It is never too late to be what you might have been."*

## ➤ NCLT Delhi Rejects Former SpiceJet Pilot's Insolvency Plea Against Airline Over Salary Dues

The National Company Law Tribunal (NCLT) at Delhi has recently dismissed an insolvency plea filed by a former SpiceJet pilot over alleged unpaid salary dues, holding that the claim fell below the minimum threshold required for initiating insolvency proceedings and was also the subject of a pre-existing dispute.

A bench of Judicial Member Mahendra Khandelwal and Technical Member Anu Jagmohan Singh ruled.

*"Therefore, the present Section 9 application is not admissible on the ground of lack of threshold under Section 4 IBC and also on existence of pre-existing dispute between the parties."*

The plea was filed by Capt. Devesh Bbyan, who joined SpiceJet as a trainee captain of a Q400 in April 2019 at an annual compensation of ₹77.4 lakh. According to the petition, salary dues of about ₹1.14 crore remained unpaid for the period between April 2020 and August 2022 despite repeated demands. Including interest claimed at 24% per annum, he placed the total debt at about ₹1.7 crore.

After issuing a demand notice in October 2024, Bbyan approached the tribunal seeking insolvency proceedings against the airline. SpiceJet contested the claim on multiple grounds. It pointed out that about ₹47.5 lakh of the claimed dues related to the period between April 2020 and March 2021, which fell within the period protected by the Covid-era suspension on insolvency filings. Excluding that amount, the alleged default came down to about ₹66 lakh. The airline also contended that the original employment terms had been replaced by revised "transitory terms" in 2020, which the pilot had accepted. It submitted that a full-and-final settlement amount of about ₹3.95 lakh had been communicated to him and that he had continued to work under the revised compensation structure without protest.

**Source:** *Live Law Biz*

**Read Full news:** [NCLT Delhi Rejects Former SpiceJet Pilot's Insolvency Plea Against Airline Over Salary Dues](#)

## ➤ NCLT Bengaluru Allows Change In Default Date In Insolvency Plea Against Cafe Coffee Day Parent

The National Company Law Tribunal (NCLT) at Bengaluru recently allowed an amendment to the date of default in an insolvency petition against Cafe Coffee Day parent Coffee Day Global Ltd, permitting the date to be changed from November 27, 2020, to September 30, 2019.

A bench of Judicial Member Sunil Kumar Aggarwal and Technical Member Radhakrishna Sreepada held that the proposed amendment merely aligned the date of default with the factual foundation already set out in the pleadings and did not amount to introducing a new cause of action.

**Source:** *Live Law Biz*

**Read Full news:** [NCLT Bengaluru Allows Change In Default Date In Insolvency Plea Against Cafe Coffee Day Parent](#)

## ➤ NCLT Delhi Approves ₹1.89 Crore Repayment Plan For Woolways India Personal Guarantor

The National Company Law Tribunal (NCLT) at Delhi has approved a repayment plan worth ₹1.89 crore proposed by Babita Nayar, personal guarantor to Woolways India Limited.

The plan envisages repayment to creditors within five months through the sale of immovable properties and financial assistance from friends and relatives. A bench of Judicial Member Bachu Venkat Balaram Das and Technical Member Ravindra Chaturvedi also clarified, in a connected matter, that an earlier direction requiring the State Bank of India (SBI) to deposit ₹2 lakh into the account of the Resolution Professional was only an interim measure intended to facilitate the insolvency process. It was not a determination of the final professional fee payable.

**Source:** *Live Law Biz*

**Read Full news:** [NCLT Delhi Approves ₹1.89 Crore Repayment Plan For Woolways India Personal Guarantor](#)



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