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"We think it's intoxicating when somebody is so unapologetically who they are"

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➤ **Go First insolvency: Today, NCLAT will pass order on aircraft lessors' petitions**

The National Company Law Appellate Tribunal (NCLAT) is set to deliver its verdict on May 22 regarding the petitions filed by three aircraft lessors against Go First's voluntary insolvency resolution proceedings. Stakeholders eagerly await the decision of the NCLAT, which will have far-reaching implications for Go First and its lessors.

The two-member bench, led by Chairperson Justice Ashok Bhushan, earlier concluded the hearing and reserved its order while requesting the submission of any additional documents within the next 48 hours.

The tribunal heard a series of petitions filed by SMBC Aviation Capital Ltd, GY Aviation, and SFV Aircraft Holdings, all of whom have leased approximately 21 aircraft to Go First. During the proceedings, senior advocate Arun Kathpalia, representing SMBC Aviation, argued that they had terminated the lease prior to the initiation of Go First's Corporate Insolvency Resolution Process (CIRP).

He emphasised that, as per the Cape Town Conventions, the Directorate General of Civil Aviation (DGCA) has the authority to cancel the lease within five working days without requiring consent from Go First. Consequently, he asserted that the airline could not continue to fly or operate the aircraft.

Source: Mint

Read Full news at: <https://www.livemint.com/news/india/go-first-insolvency-today-nclat-will-pass-order-on-aircraft-lessors-petitions-11684719319821.html>

➤ **NCLT Principal Bench Dismisses Section 9 Applications, Reiterates That Landowners Entering Into Joint Collaboration Are Not Operational Creditors**

The National Company Law Tribunal on 12 May 2023 dismissed four Applications under Section 9 of the Insolvency and Bankruptcy Code, 2016 (the Code) for initiating the Corporate Insolvency Resolution Process (CIRP) against M/s Raheja Developers Limited, holding that the agreements between the Corporate Debtor and landowner Applicants cannot be considered under the ambit of “Operational debt” under Section 5(21) and “Operational Creditor” under section 5(20) and thereby under Section 9 of the IBC, 2016.

The Principal Bench of NCLT observed that the Applicants are attempting to give a very wide interpretation to Section 5(21) which cannot be the legislative intention. Reasonably, parties vide various agreements share a legal and binding relationship and have mutual financial obligations towards each other. But these transactions are not in the nature of ‘Operational Debt’.

Source: Live Law

Read Full news at: <https://www.livelaw.in/law-firms/nclt-section-9-ibc-operational-creditors-cirp-karanjawala-co-229158>

➤ **NCLT rejects IDBI Bank's insolvency plea against Zee Entertainment**

The National Company Law Tribunal in Mumbai rejected on Friday IDBI Bank's insolvency plea against Zee Entertainment Enterprises (ZEEL), paving the way for the media company's merger with rival Sony Entertainment. Zee defaulted on a loan of Rs 149 crore from IDBI Bank, prompting the lender to move the NCLT. IDBI Bank has the option to move the National Company Law Appellate Tribunal to appeal against the order, said a legal expert.

A separate petition filed by JC Flowers Asset Reconstruction Company and Axis Finance is pending in the NCLT against Subhash Chandra, the promoter of Zee and Essel Group. Zee Entertainment earlier paid \$10 million (Rs 81 crore) to IndusInd Bank in an out-of-court settlement. JC Flowers Asset Reconstruction Company (ARC) has asked NCLT to use the non-compete fees Chandra would receive from Sony Japan to repay its dues worth Rs 377 crore.

Source: Business Standard

Read Full news at: https://www.business-standard.com/companies/news/nclt-rejects-idbi-bank-s-insolvency-plea-against-zee-entertainment-123051900866_1.html



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