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"Happiness is a journey, not a destination."

➤ **Resolution Professional's Failure To Individually Inform Homebuyers About Insolvency Proceedings Goes Against Principles Of IBC: NCLAT**

The National Company Law Appellate Tribunal (NCLAT), New Delhi Bench of Justice Rakesh Kumar Jain, Mr. Naresh Salecha (Technical Member) and Mr. Indevan Pandey (Technical Member) has held that the failure of the Resolution Professional to individually inform the homebuyers about the insolvency proceedings as mandated under Regulation 6A of the CIRP Regulations, 2016, so they could file their claims on time, goes against the spirit of the IBC and vitiates the entire proceedings especially during Covid Pandemic.

The present appeal has been filed under section 61 of the Insolvency and Bankruptcy Code, 2016 (IBC) against an order passed by the National Company Law Tribunal (NCLT) New Delhi by which it rejected an application seeking recall of an order which permitted the withdrawal of the Corporate Insolvency Resolution Process (CIRP).

The Appellant submitted that the withdrawal of CIRP was secured through gross fraud and suppression of material facts, without accounting for their legitimate claims and those of similarly situated homebuyers. The Adjudicating Authority failed to appreciate the existence of substantial evidence on recall of orders obtained by fraud, thereby gravely violating principles of natural justice. The appeal is thus a plea for recall of the withdrawal of CIRP order to protect the interests of innocent homebuyers.

It was further argued that in the Union Bank of India (supra) that both this Tribunal and the NCLTs have the inherent power to recall an order, if it has been obtained by fraud. It was clarified that although review powers are not available, recall on valid grounds is well within the Tribunal's inherent jurisdiction under Rule 11 of the NCLAT Rules, 2016.

Source: Live Law

Read Full news: [Resolution Professional's Failure To Individually Inform Homebuyers About Insolvency Proceedings Goes Against Principles Of IBC: NCLAT](#)

➤ **Fugitive bizman Nitin Sandesara's Sterling SEZ goes to auction with reserve price of Rs 324 crore**

Sterling SEZ and Infrastructure Limited (in liquidation) is set to be auctioned on September 15, 2025, with a reserve price of Rs 324 crore (INR 3,243 million). The e-auction will be conducted on an "as is, where is," "as is what is basis," "whatever there is basis," and "no recourse basis." The last date for bid submissions has been extended to September 12, 2025.

This auction marks a significant step in the long-running insolvency process of the company, a subsidiary of the larger Sterling Biotech group. The National Company Law Tribunal (NCLT) had ordered the liquidation of Sterling SEZ and Infrastructure Ltd in October 2021 bringing a definitive end to its turbulent Corporate Insolvency Resolution Process (CIRP). The order was issued after the company's Resolution Professional informed the court that no resolution plan had been received for the company.

Source: *Insolvency Tracker*

Read Full news: [Fugitive bizman Nitin Sandesara's Sterling SEZ goes to auction](#)

➤ **Insolvency law amendments will help ensure faster resolution process: IBBI Chairperson**

The proposed amendments to the insolvency law will help in saving time and ensure faster resolution of stressed assets, IBBI Chairperson Ravi Mital said on Thursday. On August 12, the government introduced a bill in the Lok Sabha to amend the Insolvency and Bankruptcy Code (IBC), proposing a raft of changes, including provisions to reduce the time taken for admission of insolvency resolution applications. The bill, which has been referred to a select committee of the Lok Sabha, has also proposed a raft of amendments, including an out-of-court mechanism to address genuine business failures, group and cross-border insolvency frameworks.

Source: *The Economic Times*

Read Full news: [Insolvency law amendments will help ensure faster resolution process: IBBI Chairperson - The Economic Times](#)

