



INSOLVENCY PROFESSIONAL AGENCY
OF INSTITUTE OF COST ACCOUNTANTS OF INDIA



IBC AU-COURANT

LATEST UPDATES ON INSOLVENCY AND BANKRUPTCY

"Take risks in your life, If you win, you can lead! If you lose, you can guide!"

"Take risks in your life, If you win, you can lead! If you lose, you can guide!"

➤ Go First lessors' plea contrary to law, says interim RP

The Directorate General of Civil Aviation (DGCA) has rightly not acted on the deregistration requests of the Go First aircraft lessors and seeking such directions for taking possession of their aircraft from the Delhi High Court is "contrary to law", the crisis-hit airline's interim resolution professional (IRP) said Tuesday.

Senior counsel Harish Salve, appearing for the IRP, said taking possession of the aircraft would not only undermine the insolvency process but would completely halt the airline's operations, thus leading to significant losses.

If DGCA allowed deregistration requests of the lessors, they would fly off with their planes and the airline will be dead, and over 7,000 employees would be rendered jobless, the IRP said, adding the deregistration of aircraft by the civil aviation body will scuttle the ongoing resolution process.

Source: The Economic Times

Read Full news at: <https://economictimes.indiatimes.com/industry/transportation/airlines/-/aviation/go-first-lessors-plea-contrary-to-law-says-interirp/articleshow/100631506.cms?from=mdr>

➤ **NCLT refuses to admit plea by DHL to initiate insolvency against Eicher Motors**

The National Company Law Tribunal (NCLT) at Delhi refused to admit a plea DHL Supply Chain India Pvt Ltd (DHL) to initiate insolvency proceedings against Eicher Motors Limited, a commercial vehicle manufacturer and also the parent company of Royal Enfield.

A coram of judicial member Bachu Venkat Balaram Das and technical member LN Gupta noted that there were pre-existing disputes between the parties before the issuance of the demand notice and refused to allow the insolvency application. DHL and Eicher had entered into an agreement called "service agreement for warehouse" in August 2019 and DHL was to provide logistical and warehousing services.

The term of the agreement was three years effective from October 1, 2019 to September 30, 2022. The entire term constituted a lock-in period for both parties. Around February 2021, Eicher decided not to use the warehouse even for bike storage and sought to prematurely terminate the agreement.

DHL rejected the proposal of premature termination of the agreement. When Eicher did not respond to the rejection notice, DHL asked Eicher to remove the assets lying in the warehouse. As the dismantling and shifting etc. was to be done by DHL, it raised invoices to the tune of ₹6,71,36,644.

Source: Bar and Bench

Read Full news at: <https://www.barandbench.com/news/litigation/nclt-refuses-admit-plea-dhl-initiate-insolvency-against-eicher-motors>

