INSOLVENCY PROFESSIONAL AGENCY
OF INSTITUTE OF COST ACCOUNTANTS OF INDIA
PROMOTED BY THE INSTITUTE OF COST ACCOUNTANTS OF INDIA

31 | August | 2026

IBC AU-COURANT

LATEST UPDATES ON INSOLVENCY AND BANKRUPTCY

"You don't have to be great to start, but you have to start to be great."

- ## Supreme Court issues notice in Canara Bank's plea against NCLAT order setting aside Insolvency Admission of Equinox India Developments

The Supreme Court on Monday issued notice on Canara Bank's challenge to the NCLAT order setting aside the admission of its Section 7 Insolvency petition against Equinox India Developments Ltd., formerly Indiabulls Real Estate Ltd.

A Bench of Justices J.B. Pardiwala and K. Vinod Chandran said the matter requires consideration and issues notice in Canara Bank's special leave petition. The case arose from Canara Bank's Insolvency proceedings against Equinox India Developments Ltd., formerly Indiabulls Real Estate Ltd., based on a corporate guarantee furnished in connection with loans extended to Indiabulls Realtech Ltd, later Sinnar Thermal Power Ltd., for a power project in Nashik, Maharashtra.

Canara Bank had sanctioned a ₹100 crore term loan in 2010, followed by cost overrun facilities, taking the total exposure to about ₹144.4 crore. The bank later issued a recall notice demanding ₹202 crore from the Corporate Debtor and other guarantors, and the NCLT admitted its Section 7 application on December 9, 2025.

The appellant, a suspended director of Equinox India Developments, challenged the admission, arguing that the 2010 corporate guarantee was limited to equity infusion and cost-overrun obligations and did not guarantee repayment of the principal borrower's debt. He also relied on a 2012 guarantee deed, which substituted new guarantors and released the Corporate Debtor except in limited circumstances.

The NCLAT held that the guarantee did not constitute financial debt under Section 5(8) of the IBC and that no default in the guaranteed obligation had been established. It further held that the guarantee was invoked on September 30, 2020, during the Section 10A period, making the Insolvency proceedings unsustainable. The NCLAT therefore allowed the appeal and set aside the NCLT's admission order.

Source: Live Law Biz
Read Full News: *Supreme Court issues notice in Canara Bank's plea against NCLAT order setting aside Insolvency admission of Equinox India Developments*

➢ Bira 91 Faces Insolvency push as HNGIL, Seeks ₹11.8 crore

New Delhi: Hindusthan National Glass and Industries Ltd. (HNGIL), has served a default notice on B9 Beverages Ltd, the maker of the Bira 91 range of beer, as it plans to drag the debt-ridden brewer to the Insolvency tribunal NCLT.

HNGIL, a container glass manufacturer, has issued the notice under Section 8 of the Insolvency and Bankruptcy Code (IBC), a mandatory step before filing an application for commencement of the Corporate Insolvency Resolution Process (CIRP).

In the notice, HNGIL -an Operational Creditor of B9 Beverages Ltd.- claimed default in payments and sought recovery of ₹11.77 crore for glass bottles manufactured against confirmed purchase orders but allegedly not lifted by B9 Beverages.

Source: The Economic Times
Read Full News: *Bira 91 faces insolvency push as HNGIL seeks Rs 11.8 crore - The Economic Times*

➢ NCLAT to hear Creditors' plea challenging Subhash Chandra's Repayment Plan

Mumbai: The National Company Law Appellate Tribunal (NCLAT) on Monday agreed to hear an urgent plea by several creditors including LIC Housing Finance, HDFC Bank and Union Bank of India, challenging the National Company Law Tribunal (NCLT) Delhi bench's approval of Zee Group founder Subhash Chandra's Repayment Plan.

Solicitor General Tushar Mehta, appearing for the creditors, urged the appellate tribunal to take up the matter urgently. The NCLAT agreed to hear the challenge on Tuesday at 10:30 am.

"There are two or three important questions to which are decided you know and if those findings are correct then my lord, possibly we will be having complete loss of intent and purpose of IBC" said Mehta, who was mentioning the matter virtually.

Source: Mint
***Read Full News*:** *NCLAT to hear creditors' plea challenging Subhash Chandra's repayment plan | Today News*

INSOLVENCY PROFESSIONAL AGENCY
OF INSTITUTE OF COST ACCOUNTANTS OF INDIA
PROMOTED BY THE INSTITUTE OF COST ACCOUNTANTS OF INDIA