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Insolvency Professional Agency of Institute of Cost Accountants of India



PRESS

“There’s nothing wrong with staying small. You can do big things with a small team.”

Updates on Insolvency and Bankruptcy Code

➤ NCLT directs insolvency proceedings against realty firm Three C Projects

The National Company Law Tribunal (NCLT) has ordered start of insolvency proceedings against NCR-based realty firm Three C Projects Ltd and also appointed an Interim Resolution Professional (IRP) to take over the management of the debt-ridden company. A two-member principal bench, headed by President Justice M M Kumar, admitted a plea filed by five flat buyers who had booked homes in the company's Lotus Zing project in Noida, Uttar Pradesh.

Source: Economic Times

Please find the full news at:

<https://economictimes.indiatimes.com/industry/services/property/-construction/nclt-directs-insolvency-proceedings-against-realty-firm-three-c-projects/articleshow/70898800.cms>

➤ Liquidation Waterfall: NCLAT Rules Against Inclusion of Social Security Dues Under ‘Workmen’s Dues’

In State Bank of India v Moser Baer Karamchhari Union (Moser Baer), the National Company Law Appellate Tribunal, New Delhi (NCLAT), ruled on the scope of ‘workmen’s dues’ under Section 53 of the Insolvency and Bankruptcy Code, 2016 (IBC) from the perspective of the dues of an employer towards provident fund, pension fund and gratuity.

The NCLAT accepted the contention of the respondents that gratuity and social security dues cannot be made part of the waterfall mechanism by virtue of Section 36 of the IBC. The said provision requires the liquidator to form an estate of the assets of the corporate debtor. It then excludes, from the scope of liquidation estate assets, all sums due to *any workman or employee* in relation to provident fund, pension fund and gratuity fund, such that these sums will not be used for recovery in liquidation.

Source: Lexology

Please find the full news at:

<https://www.lexology.com/library/detail.aspx?q=8a81e90f-6535-481b-9cc8-1528950e9dd1>

➤ **South America's Synergy may want Jet lenders to take 60-80% haircut**

South American conglomerate Synergy Group may ask for a 60-80 per cent haircut from the lenders of Jet Airways as a pre-condition to pick up an equity stake in the stressed airline. The company may also ask the lenders to convert 10-20 per cent of their total debt into equity.

Synergy had submitted an expression of interest (EoI) last week to buy Jet. It owns a majority stake in Avianca Airlines, the second largest airline in South America. G&A has been driving the talks with Jet's resolution professional (RP), Ashish Chhawchharia, on behalf of Synergy Group's founder German Efromovich.

Source: Business Line

Please find the full news at:

<https://www.thehindubusinessline.com/todays-paper/tp-news/article29294408.ece>



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