

IBC AU-COURANT

Insolvency Professional Agency of Institute of Cost Accountants of India



“Courage is like a muscle. We strengthen it by use”

Updates on Insolvency and Bankruptcy Code

➤ **Confusion regarding the jurisdiction of NCLT qua personal guarantor's insolvency**

The National Company Law Tribunals (NCLT) gained huge prominence after the enactment of the Insolvency and Bankruptcy Code, 2016 (Code/IBC), and became an epicenter adjudications of commercial laws across the country. As per Section 63 of the Code, it is the only judicial forum that has the jurisdiction to deal with the insolvency resolution process of a company and even the High Courts were cautioned by the Supreme Court in the case of Ghanashyam Mishra & Sons (P) Ltd. v. Edelweiss Asset Reconstruction Co. Ltd., (2021) 9SCC 657 not to exercise writ jurisdiction under Article 226 of the Constitution of India in relation to Corporate Insolvency Resolution Process (CIRP).

Source: Live Law

Read Full news at:

<https://www.livelaw.in/columns/insolvency-and-bankruptcy-code-2016-codeibc-national-company-law-tribunals-nclt-ghanashyam-mishra-sons-p-ltd-v-edelweiss-asset-reconstruction-co-ltd-191310>

➤ **Tax havens could come in the way of cross-border insolvency laws**

Tax havens could come in the way of cross-border insolvency laws, with Videocon Oil and Nirav Modi's Firestar International, two recent examples of Indian companies owning foreign assets that are undergoing insolvency proceedings in the country, demonstrating why this is so, said legal, insolvency and banking experts.

Source: The Economic Times

Read Full news at:

<https://economictimes.indiatimes.com/markets/stocks/news/tax-havens-could-come-in-the-way-of-cross-border-insolvency-laws/articleshow/89393713.cms>

➤ **Sintex Industries insolvency in final stages, company receives revised bids**

Four companies, including Reliance Industries, competing for Sintex Industries have revised their bids that will now be placed before the Committee of Creditors (CoC) of the debt-ridden textiles maker for approval. Mukesh Ambani-led Reliance Industries Ltd is jointly bidding with Assets Care & Reconstruction Enterprise for Sintex Industries and according to some media reports, the amount is around Rs 2,800 crore.

Source: *The Economic Times*

Read Full news at:

<https://economictimes.indiatimes.com/news/company/corporate-trends/sintex-industries-insolvency-in-final-stages-company-receives-revised-bids/articleshow/89384914.cms>

➤ **IndusInd Bank moves NCLT to initiate insolvency proceedings against Zee Ent**

Private sector lender IndusInd Bank has filed a plea before NCLT to initiate insolvency proceedings against Zee Entertainment Enterprises Ltd (ZEEL). IndusInd Bank, in its plea before the Mumbai bench of National Company Law Tribunal (NCLT) has claimed a default of Rs 83.08 crore against the media and entertainment firm, ZEEL said in a late evening regulatory updates on Friday.

Source: *Business Standard*

Read Full news at:

https://www.business-standard.com/article/pti-stories/indusind-bank-moves-nclt-to-initiate-insolvency-proceedings-against-zee-entertainment-122020500737_1.html

➤ **Insolvency and Bankruptcy Code reforms helped easing financial distress in MSME sector: IBBI Chief**

The reforms initiated in the Insolvency and Bankruptcy Code substantially helped to mitigate the financial distress faced by the MSME sector due to covid-19, said Dr. Navrang Saini, Chairperson, IBBI. He was addressing the inaugural session of International Conference on MSMEs earlier this week.

Source: *KNN*

Read Full news at:

<https://knnindia.co.in/news/newsdetails/sectors/insolvency-and-bankruptcy-code-reforms-helped-easing-financial-distress-in-msme-sector-ibbi-chief>



Insolvency Professional Agency of Institute of Cost Accountants of India
(A Section 8 Company registered under Companies Act, 2013)
CMA Bhawan, 3, Institutional Area, Lodhi Road
New Delhi - 110003