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IBC AU COURANT

Insolvency Professional Agency of Institute of Cost Accountants of India



“Don’t ever make decisions based on fear. Make decisions based on hope and possibility. Make decisions based on what should happen, not what shouldn’t”

Updates on Insolvency and Bankruptcy Code

Supreme Court stays all Delhi HC proceedings in Future-RIL deal: Sebi, CCI, NCLT told not to pass any order for 4 weeks

The Supreme Court on Thursday stayed all proceedings in the Delhi High Court for a period of four weeks related to the issue of enforcement of Singapore Emergency Arbitrator’s interim award which had restrained Future Retail (FRL) from going ahead with its Rs 24,713-crore merger deal with Reliance Retail. A bench led by Chief Justice NV Ramana, while issuing notice to Amazon, passed a consent order staying all proceedings pending before the Delhi HC, which was scheduled to hear the case on September 16, which involved attachment of assets of Future Group promoter Kishore Biyani, other directors and group companies, including Future Coupons (FCPL) and FRL.

Source: Financial Express

Please find the full news at:

<https://www.financialexpress.com/industry/supreme-court-stays-all-delhi-hc-proceedings-in-future-ril-deal-sebi-cci-nclt-told-not-to-pass-any-order-for-4-weeks/2327490/>

Time taken to admit a case to NCLT needs to come down, says RBI

Governor: Reserve Bank of India (RBI) Governor Shaktikanta Das on Thursday said there is scope for improvement in the Insolvency and Bankruptcy Code (IBC) so that the time taken to admit a case to the National Company Law Tribunal (NCLT) is reduced. On lenders taking almost 90 per cent haircut in some of the IBC resolutions, Das observed that while the percentage of recovery is an important factor, the primary objective of the Code is resolution of bad assets — wherever possible to resolve the business so that the company/ business continues its operations and the economic value which the business creates continues unabated

Source: The Hindu Business Line

Please find the full news at:

<https://www.thehindubusinessline.com/money-and-banking/time-taken-to-admit-a-case-to-nclt-needs-to-come-down-says-rbi-governor/article36388456.ece>

Explained: Why did NCLAT term the Devas-Antrix agreement as fraud

NCLAT has upheld a NCLT order to wind up Devas Multimedia. What was the 2005 deal between Devas Multimedia and Antrix Corporation, and why does the NCLAT order say the agreement was a fraud? The Devas Multimedia-Antrix Corp agreement was cancelled by the then UPA government in 2011 after allegations of the deal being a quid pro quo “sweetheart deal” were raised. In 2014, the Central Bureau of Investigation (CBI) and Enforcement Directorate (ED) were asked to probe the deal. The appellate tribunal has also said that it was apparent that a fraud had occurred. One of the major findings of NCLAT in its order is that every benefit or advantage accrued to Devas under the 2005 agreement was “through fraud, misrepresentation or suppression”

Source: Indian Express

Please find the full news at:

<https://indianexpress.com/article/explained/fraud-apparent-in-devas-antrix-deal-7499871/>



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