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Insolvency Professional Agency of Institute of Cost Accountants of India



“Make every detail perfect and limit the number of details to perfect.”

Updates on Insolvency and Bankruptcy Code

MSME insolvency: Only debtors may get to start bankruptcy process

Only debtors can trigger their own bankruptcy process under the special insolvency resolution framework for micro, small and medium enterprises (MSMEs), which the government and the regulator are working on, sources told FE.

However, to be able to do so, a stressed MSME will require the approval of unrelated financial creditors who account for at least 25% of outstanding claims.

Source: Financial Express

Please find the full news at:

<https://www.financialexpress.com/industry/sme/msme-insolvency-only-debtors-may-get-to-start-bankruptcy-process/2194673/>

NCLAT asks Devas Multimedia shareholder to approach NCLT

New Delhi: The National Company Law Appellate Tribunal (NCLAT) has asked Devas Employees Mauritius to approach NCLT to raise its objection over the court's decision to admit a petition by Antrix Corporation seeking winding up of Devas Multimedia. While disposing of its plea, the Chennai bench of the NCLAT has directed Devas Employees Mauritius to file an interlocutory application and be a party in the ongoing matter at the NCLT.

Source: The Economic Times

Please find the full news at:

<https://economictimes.indiatimes.com/news/company/corporate-trends/nclat-asks-devas-multimedia-shareholder-to-approach-nclt/articleshow/80909493.cms>

Section 21 of Insolvency & Bankruptcy Code: Supreme Court provides purposive interpretation to exclude ex-related parties from CoC

The Supreme Court in Phoenix Arc Private Limited v. Spade Financial Services Limited, recently decided an interesting and pertinent issue under the Insolvency & Bankruptcy Code, 2016 (IBC). The issue was related to the interpretation of Section 21 of the Code, which provides for constitution of the Committee of Creditors (CoC).

Source: Bar and Bench

Please find the full news at:

<https://www.barandbench.com/columns/section-21-ibc-supreme-court-purposive-interpretation-ex-related-parties-coc>

DHFL posts net loss of Rs 13,095 crore as expenses zoom 63%

DHFL is undergoing insolvency proceedings at National Company Law Tribunal (NCLT), Mumbai. Committee of Creditors (CoC) has already approved Piramal Capital Housing Finance's (PCHFL) Rs 34,250 crore bid for DHFL. However, the bankruptcy court is yet to approve PCHFL's resolution plan for DHFL.

Source: Bar and Bench

Please find the full news at:

<https://www.financialexpress.com/industry/dhfl-posts-net-loss-of-rs-13095-crore-as-expenses-zoom-63/2194718/>



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