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# IBC AU COURANT

Insolvency Professional Agency of Institute of Cost Accountants of India



**Courage is one step ahead of fear.**

**Updates on Insolvency and Bankruptcy Code**

## **What the Supreme Court said on writ courts and patent lack of inherent jurisdiction of arbitral tribunals**

The Supreme Court on Friday held that approaching writ courts against dismissal of an arbitration application by an arbitrator can only be entertained if there was a patent lack of inherent jurisdiction.

**Source: Bar and Bench**

**Please find the full news at:**

<https://www.barandbench.com/news/litigation/supreme-court-writ-courts-arbitral-tribunals-patent-lack-in-inherent-jurisdiction>

## **Majority opp parties back amendment to IBC; Some flag possible misuse by corporates, demand relief for farmers**

A majority of opposition parties supported 'The Insolvency and Bankruptcy Code (Second Amendment) Bill, 2020', which was passed by Rajya Sabha on Saturday, and also urged the government to provide interest waiver on loans to farmers and poor people suffering due to the COVID crisis.

**Source: Money Control.com**

**Please find the full news at:**

<https://www.moneycontrol.com/news/trends/current-affairs-trends/majority-opp-parties-back-amendment-to-ibc-some-flag-possible-misuse-by-corporates-demand-relief-for-farmers-5860981.html>

## **DHFL: Union Bank issues demand notice to Wadhawans**

Public sector lender Union Bank of India has sent a demand notice to promoters of Dewan Housing Finance Corporation (DHFL) Kapil and Dheeraj Wadhawan for recovering Rs 3,000 crore for which personal guarantees were given. The bank plans to move the National Company Law Tribunal (NCLT) for filing personal insolvency petition against promoters if the payment is not received by end of this month.

**Source: Financial Express**

**Please find the full news at:**

<https://www.financialexpress.com/industry/banking-finance/dhfl-union-bank-issues-demand-notice-to-wadhawans/2086764/>

## **Insolvency proceedings against corporate debtors, personal guarantors can go together: Nirmala Sitharaman**

Finance Minister Nirmala Sitharaman on Saturday said law provides for carrying out insolvency and bankruptcy proceedings against corporate debtors as well personal guarantors together. She was replying to a debate on the Insolvency and Bankruptcy Code (Second Amendment) Bill, 2020, in the Rajya Sabha which passed the proposed legislation to replace an ordinance in this regard with voice vote.

**Source: Financial Express**

**Please find the full news at:**

<https://www.financialexpress.com/economy/rajya-sabha-passes-amendment-in-insolvency-and-bankruptcy-code/2087095/>

## **Over 19,800 cases were pending before NCLT till July 31**

As many as 19,844 cases were pending before the National Company Law Tribunal (NCLT) as on July 31 this year and majority of them were under the insolvency law, according to the corporate affairs ministry. Minister of State for Corporate Affairs Anurag Singh Thakur said a total 320 posts of officers/staff have been created in the National Company Law Tribunal (NCLT).

**Source: Economic Times**

**Please find the full news at:**

<https://economictimes.indiatimes.com/news/economy/policy/over-19800-cases-were-pending-before-nclt-till-july-31/articleshow/78219380.cms>

## **CarVal to seal Uttam Galva deal next month**

The consortium led by US-based fund CarVal Investors is expected to complete the acquisition of Uttam Value Steel and Uttam Galva Metalics for about ₹2,600 crore



under the insolvency-driven process in October, despite economic uncertainty unleashed by Covid pandemic.

**Source: Hindu Business Line**

**Please find the full news at:**

<https://www.thehindubusinessline.com/news/carval-to-close-uttam-a-galva-deal-next-month/article32654539.ece>

### **DHFL: '91 fictitious entities from a Mumbai branch behind fraud'**

A forensic investigation carried out by Grant Thornton into the affairs of Dewan Housing Finance Corporation Ltd has revealed that DHFL was siphoning off funds since 2006-07 through 91 fictitious entities operating from a Mumbai branch.

**Source: Hindu Business Line**

**Please find the full news at:**

<https://www.thehindubusinessline.com/money-and-banking/dhfl-91-fictitious-entities-from-a-mumbai-branch-behind-fraud/article32655578.ece>



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