

IBC AU-COURANT

Insolvency Professional Agency of Institute of Cost Accountants of India



"The function of leadership is to produce more leaders, not more followers"

Updates on Insolvency and Bankruptcy Code

➤ **NCLAT upholds Siva Industries liquidation**

The settlement offer under Section 12A was made by RCK Vallal, who is the father of the founder of Siva group, C Sivasankaran. Siva Group is best known for investments in Aircel, a telco that went bankrupt, and Barista, a coffee chain. In a judgment dated January 28, the National Company Law Appellate Tribunal (NCLAT) ordered liquidation stating that the plan was submitted to the tribunal after 330 days, which is the maximum time permitted to resolve a case under the Insolvency and Bankruptcy Code (IBC) failing which the company has to be liquidated.

Source: The Economic Times

Read Full news at:

<https://economictimes.indiatimes.com/news/india/nclat-upholds-siva-industries-liquidation/articleshow/89229719.cms>

➤ **KKR drags Mantri Developers to NCLT over ₹145- crore dues**

The US PE firm's real estate lending arm, KKR India Asset Finance, has filed an application with NCLT to start insolvency proceedings against Mantri Developers alleging non-payment of dues by the company. KKR India Asset Finance had offered funding to Mantri Developers in 2016 for one of its residential projects. Infosys chairman Nandan Nilekani owns a minority stake of 10% in KKR India Asset Finance through his family trust

Source: The Economic Times

Read Full news at:

<https://economictimes.indiatimes.com/industry/services/property/-/cstruction/kkr-drags-mantri-developers-to-nclt-over-145-crore-dues/articleshow/89230341.cms>

➤ **Supreme Court to hear Future Retail petition seeking to quash default notices**

The Supreme Court (SC) has agreed to hear a new petition from Future Retail Ltd (FRL), which seeks to quash lenders' letters threatening to initiate insolvency proceedings against the company. In a statement to the apex court on January 27, advocate Mukul Rohatgi pled that FRL's deal to sell Rs 25,000 crore worth assets to Reliance Retail is "virtually stalled" due to litigations across India, initiated by US-based e-commerce giant Amazon, the Times of India reported.

Source: Money Control

Read Full news at:

<https://www.moneycontrol.com/news/business/supreme-court-to-hear-future-retail-petition-seeking-to-quash-default-notices-8006111.html>

➤ **Expectations from Budget 2022 vis-a-vis insolvency law**

The Insolvency and Bankruptcy Code, 2016 ("IBC") has been one of the most important economic reforms in India, meant to address the mounting pressure of non-performing assets ("NPAs") on the Indian financial landscape. The legislature has shown great pedigree through continuous changes in IBC based on the implementation experience and market realities, which has meant that the law has been dynamic and ever-evolving within this span of five years.

Source: Business Today. In

Read Full news at:

<https://www.businesstoday.in/union-budget-2022/opinion/story/expectations-from-budget-2022-vis-a-vis-insolvency-law-320860-2022-01-30>

➤ **DHFL: NCLAT sets aside NCLT order that directed to consider Wadhwan's second offer**

The appellate tribunal observed that NCLT has passed directions to consider the second proposal from Wadhwan, despite the fact that the Committee of Creditors (CoC) of DHFL had already by an overwhelming majority approved the Piramal Capital & Housing Finance's resolution plan and the administrator had applied before it for its approval. Citing a recent judgement passed by the Supreme Court in the case of Ebix Singapore, the NCLAT said "there was no scope for negotiations between the parties once the CoC has approved the resolution plan".

Source: The Economic Times

Read Full news at:

<https://economictimes.indiatimes.com/industry/banking/finance/dhfl-nclat-sets-aside-nclt-order-that-directed-to-consider-wadhwan-s-second-offer/articleshow/89219602.cms>

➤ **RIL-ACRE seeks CCI nod to buy Sintex Industries under insolvency proceedings**

Reliance Industries Limited (RIL) in partnership with Assets Care & Reconstruction Enterprises (ACRE) has sought approval from the Competition Commission of India (CCI) to acquire Sintex Industries. According to a report, RIL and ACRE have made bid to acquire Sintex Industries which is under insolvency proceedings. The report said that an approval from CCI is required before the resolution plan can receive the lenders' nod. At present, RIL, ARES Capital-backed ACRE, Welspun Group company Easygo Textiles, Trident, Himatsingka Ventures and GHFC have shown interest in Sintex Industries.

Source: Daijiworld

Read Full news at:

<https://www.daijiworld.com/news/newsDisplay?newsID=920445>



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