



INSOLVENCY PROFESSIONAL AGENCY  
OF INSTITUTE OF COST ACCOUNTANTS OF INDIA



# IBC AU-COURANT

LATEST UPDATES ON INSOLVENCY AND BANKRUPTCY

*"Real change, enduring change, happens one step at a time."*

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## ➤ NCLT New Delhi Initiates Insolvency Proceedings Against Revital Reality Private Limited For Financial Debt And Default

The National Company Law Tribunal Court V, New Delhi bench of Mahendra Khandelwal (Judicial Member) and Dr Sanjeev Ranjan (Technical Member) has initiated insolvency proceedings against Revital Reality Private Limited noting that it failed to deliver possession of the residential units within the stipulated time frame.

The bench noted: it is clear that the applicants are Financial Creditors and the debt owed to them by the Corporate Debtor is a Financial Debt, and there has been a default, as stipulated in Sections 3(12), 5(7) and Section 5(8) of the IBC”

Mr Manish Aneja, a Financial Creditors, approached the National Company Law Tribunal Court (NCLT) under Section 7 of the Insolvency and Bankruptcy Code, 2016 and sought to initiate a Corporate Insolvency Resolution Process (CIRP) against M/s Revital Reality Private Limited, (“Corporate Debtor”).

The petition was filed on the grounds of defaulting on a payment of Rs. 31,22,62,345/-. The Financial Creditors, initially 147 unit-holders of a real estate project named 'Basera,' booked residential units under the Affordable Group Housing Policy 2013. The Corporate Debtor failed to deliver possession of the units within the stipulated time frame. The Financial Creditors proposed Gaurav Katiyar as the Interim Resolution Professional.

**Source: Live Law**

**Read Full news:** <https://www.livelaw.in/ibc-cases/nclt-new-delhi-insolvency-proceedings-revital-reality-private-limited-financial-debt-default-260184>

## ➤ **Compliance relief proposed for insolvency professionals**

In a bid to expedite the corporate insolvency resolution process (CIRP) under the Insolvency and Bankruptcy Code (IBC), the government is mulling to reduce compliance burden on insolvency professionals (IPs). In a discussion paper floated on Monday, the Insolvency and Bankruptcy Board of India (IBBI) has proposed to streamline and reduce the number of CIRP forms filed by IPs by merging, dropping, and revamping certain forms.

Currently, the timelines for filing various CIRP forms – nine in total – are linked to different events such as the insolvency commencement date, public announcement, appointment of RP, etc. This leads to due dates for filing of forms falling on different dates for an IP handling multiple CIRP assignments, making the filing process cumbersome for the IP.

**Source: Financial Express**

**Read Full news :** <https://www.financialexpress.com/business/industry-compliance-relief-proposed-for-insolvency-professionals-3522238/>

## ➤ **CoC Is Empowered To Liquidate Corporate Debtor Any Time After It's Constitution Or Before Resolution Plan Is Confirmed: NCLT Delhi**

The National Company Law Tribunal Court V, New Delhi bench of Mahendra Khandelwal (Judicial Member) and Dr Sanjeev Ranjan (Technical Member) has held that CoC in the legislative scheme of the Insolvency and Bankruptcy Code, 2016 is empowered to take the decision to liquidate the Corporate Debtor, any time after its constitution and before confirmation of the resolution plan.

The matter pertained to the liquidation of Corporate Debtor, M/s 5 Core Acoustics Private Limited. The Corporate Insolvency Resolution Process was initiated against the Corporate Debtor on 16.11.2022, and Mr Radhey Shyam Yadav was appointed as the Resolution Professional. Despite efforts by the Resolution Professional to contact the Corporate Debtor's directors and statutory auditor, they could not be located. Bailable warrants were issued against the directors, but their whereabouts remained unknown. The absence of operations and assets led the Committee of Creditors (CoC) to resolve for liquidation in the 2nd CoC meeting with a 100% voting share.

**Source: Live Law**

**Read Full news :** <https://www.livelaw.in/ibc-cases/nclt-delhi-coc-liquidate-corporate-debtor-constitution-resolution-plan-260187>

