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OF INSTITUTE OF COST ACCOUNTANTS OF INDIA

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"Success is getting what you want; happiness is wanting what you get."

➤ **Workers' Union demands urgent action on Hindustan National Glass insolvency resolution Plan**

The Workers' Union of Hindustan National Glass & Industries Ltd. (HNGIL) has written to the Committee of Creditors (CoC), demanding immediate action to file the resolution plan of the Successful Resolution Applicant (SRA) with the Adjudicating Authority.

The letter follows the Supreme Court's judgment on 29 January 2025, which quashed AGI Greenpac's ₹2,200 crore resolution plan for failing to comply with mandatory regulatory approvals. HNGIL filed for insolvency in October 2021. Two bidders AGI Greenpac (market cap 5000 crs) and Independent Sugar Corp. (INSCO) were vying for HNGIL. Their bids were worth approx 2200 crs.

The union has strongly criticized alleged "attempts by erstwhile promoters colluding with the second bidder AGI Greenpac to derail the Corporate Insolvency Resolution Process (CIRP), in spite of specific directives of the Supreme Court" in their letter to the CoC. It warns that any further delays could push HNGIL into liquidation, threatening thousands of worker livelihoods. The union urges the CoC to follow the Supreme Court's ruling strictly and take necessary steps to stop any parties from unfairly interfering with the resolution process for their own benefit.

Source: *Economic Times*

Read Full news: <https://legal.economictimes.indiatimes.com/news/litigation/workers-union-demands-urgent-action-on-hindustan-national-glass-insolvency-resolution-plan/118592642>

➤ **NCLAT sets aside insolvency proceedings against Coffee Day Enterprises**

The National Company Law Appellate Tribunal (NCLAT) on Thursday set aside insolvency proceedings against Coffee Day Enterprises Ltd (CDEL), the parent company of Café Coffee Day (CCD), dismissing a bankruptcy plea filed by IDBI Trusteeship over an alleged ₹228 crore default.

The ruling came in response to a petition by Malavika Hegde, a shareholder and director at CDEL, challenging the National Company Law Tribunal's (NCLT) 8 August 2024 order, which had admitted IDBI Trusteeship's insolvency plea against the company.

NCLAT had already provided interim relief by staying the proceedings on 14 August 2024. However, the proceedings had resumed as the NCLAT was unable to pass its final order within the Supreme Court's deadline of 21 February 2025.

Source: Mint

Read Full news: <https://www.livemint.com/companies/news/nclat-sets-aside-insolvency-proceedings-against-coffee-day-enterprises-11740636672582.html>

➤ **Gratuity Dues Of Workers Do Not Form Part Of 'Liquidation Estate' Of Corporate Debtor, Must Be Paid In Full: Calcutta High Court**

The **Calcutta High Court** bench of **Justice Shampa Dutt (Paul)** has held that gratuity dues are statutorily protected under the Payment of Gratuity Act, 1972, and do not form part of the liquidation estate of the Corporate Debtor under the Insolvency and Bankruptcy Code, 2016 (IBC). The court held that gratuity payments are outside the waterfall mechanism under Section 53 of the IBC and must be paid in full, irrespective of the resolution plan. It further observed that Section 14 of the Payment of Gratuity Act has an overriding effect, ensuring that employees' statutory rights are upheld even in insolvency proceedings.

The petitioner filed the writ petition challenging the order dated 11.11.2024 passed by the Assistant Labour Commissioner (Central) & Controlling Authority in Case No. 48(24) 2020-E2 (Shri Arun Roy v. M/s Stesalit Limited). By the impugned order, the Controlling Authority had directed the payment of gratuity along with interest to Respondent No. 4, who was an ex-employee of the Corporate Debtor.

Source: Live Law

Read Full news: <https://www.livelaw.in/ibc-cases/interplay-of-payment-of-gratuity-act-and-ibc-gratuity-dues-of-workers-not-form-part-of-liquidation-estate-of-corporate-debtor-must-be-paid-in-full-calcutta-high-court-285056>



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