



INSOLVENCY PROFESSIONAL AGENCY
OF INSTITUTE OF COST ACCOUNTANTS OF INDIA



IBC AU-COURANT

LATEST UPDATES ON INSOLVENCY AND BANKRUPTCY

"Everything you've ever wanted is sitting on the other side of fear."

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➤ NCLAT Upholds Suraksha Realty's Resolution Plan For Jaypee Infratech, Directs Additional ₹1,334 Crore Payment To YEIDA

The National Company Law Appellate Tribunal (NCLAT) confirmed the resolution plan proposed by Suraksha Realty Limited for Jaypee Infratech Limited (JIL) as part of its Corporate Insolvency Resolution Process (CIRP).

The NCLAT's bench, comprising Chairperson Justice Ashok Bhushan and Technical Member Barun Mitra, held that Suraksha Realty must pay ₹1,334.31 crore to YEIDA over the next four years. This payment is intended to enable YEIDA to increase land compensation for farmers. This is the obligation which stems from a concession agreement between Jaypee and YEIDA.

The order was issued in response to an appeal by YEIDA against the National Company Law Tribunal (NCLT), Allahabad's rejection of its objections to Suraksha's resolution plan. Jaypee Infratech was subjected to insolvency proceedings after it failed to deliver apartments in a housing project along the Noida-Greater Noida Expressway. Subsequently, homebuyers and other financial creditors approached the NCLT to initiate insolvency proceedings against Jaypee.

The housing project was part of a larger concession agreement between Jaypee and YEIDA, which included constructing a six-lane expressway and commercially exploiting over 6,000 acres of land adjacent to the expressway. When Jaypee entered insolvency, YEIDA filed claims with the resolution professional. Meanwhile, the Committee of Creditors approved Suraksha's resolution plan, which YEIDA contested unsuccessfully at the NCLT.

Source: Live Law

Read Full news: <https://www.livelaw.in/ibc-cases/nclat-suraksha-realty-resolution-plan-jaypee-infratech-payment-yeida-258926>

➤ **IBBI reports 2% Personal Guarantee Claims Recovered under IBC till May**

The latest data from the Insolvency and Bankruptcy Board (IBBI) reported that the creditors have recovered 2.16 per cent, or Rs 102.78 crore, of their admitted claims from personal guarantors under the Insolvency and Bankruptcy Code, 2016 (IBC). The provision for insolvency resolution of personal guarantors was enabled in November 2019 by the IBBI. The rules in this regard were brought in as part of a phased introduction of individual insolvency laws.

The IBBI data revealed that 383 admitted personal guarantors' insolvency processes, 124 have been closed. Of these 12 have been withdrawn, 86 have been closed because repayment plans were not submitted or rejected, and for 26 the repayment plan has got approval.

Source: Taxscan

Read Full news : <https://www.taxscan.in/ibbi-reports-2-personal-guarantee-claims-recovered-under-ibc-till-may/403576/>

➤ **[IBC] Party Must Be Provided With All Requisite Documents That Form Basis Of Show Cause Notice: Delhi High Court**

The Delhi High Court bench of Justice Mini Pushkarna held that the concerned party must be provided with all requisite documents that form the basis of Show Cause Notices (SCNs) by the banks. It held that this enables the party to submit a proper reply and address all allegations effectively. Without access to these underlying documents, the procedure of issuing an SCN and filing a response would be rendered meaningless.

Source: Live Law

Read Full news : <https://www.livelaw.in/high-court/delhi-high-court/delhi-high-court-party-show-cause-notice-documents-258881>

