



INSOLVENCY PROFESSIONAL AGENCY  
OF INSTITUTE OF COST ACCOUNTANTS OF INDIA

# IBC AU-COURANT

LATEST UPDATES ON INSOLVENCY AND BANKRUPTCY

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

## ➤ NCLAT dismisses insolvency proceedings plea against HUL

The National Company Law Appellate Tribunal (NCLAT) on Monday set aside a plea against HUL, filed by an operational creditor seeking initiation of insolvency proceedings against the FMCG major. The appellate tribunal has upheld an order passed by the Mumbai bench of the National Company Law Tribunal (NCLT), which on September 5, 2024, had set aside a plea filed under Section 9 of IBC by K Lakshmi Narayana, Proprietor of Lalithambica Enterprises, alleging default.

The NCLT had found that the sum of the invoices, which was within the three-year limitation period, was less than the threshold limit of Rs 1 crore.

Besides, the appellate tribunal noted that HUL's submission relates to a pre-existing dispute, for which a legal notice was issued on January 17, 2019.

The decision was challenged before NCLAT, where a two-member bench comprising Chairperson Justice Ashok Bhushan and Member (Technical) Arun Baroka, dismissed it, observing the existence of a dispute on claims.

According to own showing of the appellant, dispute was raised and he asked in the notice to refer the matter for arbitration, which itself proves the existence of dispute. Hence, the Adjudicating Authority (NCLT) has rightly rejected the Section 9 application due to reasons as given in the impugned order.

**Source:** *Economic Times*

**Read Full news:** <https://legal.economictimes.indiatimes.com/news/litigation/nclat-dismisses-insolvency-proceedings-plea-against-hul/117609666>

## ➤ **RBI superseded Aviom India management, set to begin insolvency process**

MUMBAI: Citing significant governance lapses and repeated defaults in payment obligations, the Reserve Bank of India has superseded the current management and board of mid-tier home loan company Aviom India Housing Finance. It has appointed Ram Kumar, former Chief General Manager of Punjab National Bank, as the administrator. The RBI has also announced plans to initiate the insolvency and bankruptcy process soon.

In a statement issued on Monday, the regulator stated that the action was taken based on the recommendation of the National Housing Bank, the sectoral regulator, and in accordance with the powers granted under Section 45-IE(1) of the RBI Act. The statement further noted that the RBI intends to soon initiate the resolution process for the company under the Insolvency and Bankruptcy Code. It added that the regulator would approach the New Delhi bench of the NCLT for the appointment of an administrator and a resolution professional.

**Source: The New Indian Express**

**Read Full news:** [https://www.newindianexpress.com/business/2025/Jan/27/rbi-superseded-aviom-india-management-set-to-begin-insolvency-process\](https://www.newindianexpress.com/business/2025/Jan/27/rbi-superseded-aviom-india-management-set-to-begin-insolvency-process/)

## ➤ **NCLAT sets aside penalty on lenders for delay in Mudra Denim insolvency**

The National Company Law Appellate Tribunal (NCLAT) has set aside the penalty imposed against lenders of debt-ridden Mudra Denim, saying there was no laxity on their part for delay in insolvency process. The Mumbai bench of the National Company Law Tribunal had, on November 11 last year, while deciding creditors' plea seeking extension of deadline to complete the insolvency process, imposed a cost of Rs 55,000 on the Committee of Creditors (COC).

This was challenged before NCLAT by COC through IDBI Bank, contending that there was not any laxity on the part of COC which decided to take Mudra Denim for liquidation on December 13, 2023, prior to the expiry of the CIRP (Corporate Insolvency Resolution Process) period.

**Source: Business Standard**

**Read Full news:** [https://www.business-standard.com/companies/news/nclat-sets-aside-penalty-on-lenders-for-delay-in-mudra-denim-insolvency-125012600615\\_1.html](https://www.business-standard.com/companies/news/nclat-sets-aside-penalty-on-lenders-for-delay-in-mudra-denim-insolvency-125012600615_1.html)

