



## IIPI Newsletter

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Knowledge SBU Initiative

### **Plea against Insolvency code ordinance; Delhi High Court seeks Centre's stand**

The Delhi High Court Tuesday sought the Centre's reply on a plea challenging the Insolvency and Bankruptcy Code Ordinance which suspended proceedings against defaults arising on or after March 25 for six months in view of the COVID-19 pandemic. A bench of Chief Justice D N Patel and Justice Prateek Jalan issued notice to the Ministry of Law and the Insolvency and Bankruptcy Board of India seeking its stand by August 31 on the plea which seeks setting aside of the amendment made in the IBC by the ordinance.

### **NCLAT upholds Adani group's Adani Ports & Special Economic Zone's takeover of Dighi Port**

The National Company Law Appellate Tribunal has upheld the Adani Group firm - Adani Ports & Special Economic Zone's takeover plan of the debt-ridden Dighi Port. A three-member NCLAT bench dismissed the plea filed by promoter Vishal Vijay Kalantri challenging the order passed by the Mumbai bench of National Company Law Tribunal, which had approved the Rs 650-crore resolution plan by Adani Ports & Special Economic Zone (APSEZ) on March 5.

### **Rs 19,350-crore BPSL resolution plan: JSW says not 'obligated' to implement it; awaiting SC verdict**

JSW Steel is not "obligated" to implement the Rs 19,350 crore resolution plan for Bhushan Power and Steel (BPSL) till the matter related to encumbrance over the assets of the bankrupt company is "adjudicated" by the Supreme Court, said a senior management official at JSW Steel. Seshagiri Rao, joint managing director and group chief financial officer, JSW Steel, told FE that the company is ready to implement the resolution plan and is awaiting Supreme Court's verdict on the issue related to assets attached by the Enforcement Directorate (ED).

## POINT TO PONDER

**"So much of life is a negotiation - so even if you're not in business, you have opportunities to practice all around you." - Kevin O'Leary**

### **Pre-pack plan for insolvency to be tested with MSMEs**

As the government readies to roll out pre-packaged insolvency solutions for micro, small and medium enterprises (MSMEs), it has suddenly discovered that the plan could be held up in procedural issues.

The ministry of corporate affairs (MCA)- which has already held detailed consultations with stakeholders, including the Insolvency & Bankruptcy Board of India - is looking at ways to implement the decision to have a special window for MSMEs, given that the law requires government to first place the notification in Parliament for 30 days.

### **ArcelorMittal challenges Gujarat Government, Essar Group over Hazira port licence**

ArcelorMittal Nippon Steel India Ltd (AMNSIL) has filed a petition in the Gujarat High Court against the Government of Gujarat and Essar Bulk Terminal Ltd seeking transfer of Hazira port licence in its name. Within days of acquiring Essar Steel under an insolvency process, AMNSIL had made an application to the Gujarat Maritime Board requesting that the licence be transferred to them.

### **Need to unshackle banks, insurance sectors from 'over protection', says Finance panel chief**

Asserting that banking and insurance sectors remain "overprotected" in the economy, the 15th Finance Commission Chairman NK Singh on Monday made a case for Indian policymakers to visit these sectors with the same kind of liberalisation process as was seen in rest of the economy in 1991. "When we opened the Indian economy in 1991, one of the sectors that did not really receive fundamental reform initiatives by way of liberalisation and opening up was banking and insurance. It remains overprotected even till this day," Singh said in his virtual address to All India Management Association's Council on the impact of Covid19 on Indian economy.

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