



**INDIAN INSTITUTE OF INSOLVENCY PROFESSIONALS OF ICAI**

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# IIPI Newsletter

**December 08, 2025**

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### **Husband cannot use CIRP to evade Maintenance: HC**

The Bombay High Court has ruled that a husband cannot seek the shield of insolvency proceedings to escape his legally mandated obligation to pay maintenance to his wife. The court held that maintenance payments arise from a moral and personal duty and are not a debt that can be dissolved by bankruptcy law. The court dismissed an insolvency petition filed by a Mumbai-based man, Mehul Jagdish Trivedi, who sought to be declared insolvent after failing to pay a monthly maintenance of ₹25,000 to his wife.

#### **For More Details, Please Visit:**

<https://www.hindustantimes.com/cities/mumbai-news/husband-cannot-use-insolvency-proceedings-to-evade-paying-maintenance-hc-101763666003252.html>

## News Update

*\*For Internal Circulation Only*  
*\*Knowledge SBU Initiative*

### **Delays are mainly due to litigation, the Ministry of Finance stated in a written reply in the Lok Sabha**

According to media reports, the Ministry of Finance has informed the Lok Sabha in a written reply that corporate insolvency cases under the Insolvency and Bankruptcy Code, 2016 (IBC) are now taking over 500 days on average, with delays largely driven by litigation in the adjudicatory process.

As of end-September 2025, about 1,300 Corporate Insolvency Resolution Processes (CIRPs) that culminated in approved resolution plans took an average of 603 days, excluding time condoned by the Adjudicating Authority. Another 2,896 CIRPs that ended in liquidation required an average of 518 days to conclude. Separately, 1,529 liquidation processes that have closed with the submission of final reports took an average of 668 days, making liquidation the longest stage in the IBC lifecycle. The Finance Ministry attributed these delays primarily to litigation, noting that the IBC is an adjudicatory framework where court challenges frequently extend case timelines. “Delays are mainly on account of litigation,” the Ministry stated.

The government also highlighted that public sector banks (PSBs) have significantly strengthened their balance sheets, becoming profitable and relying on internal accruals and market capital rather than state-led recapitalization. No capital infusion has been made into PSBs since FY23, said the media report.

**For More Details, Please Visit:** <https://www.cnbctv18.com/economy/ibc-delays-persist-as-resolution-cases-cross-600-day-average-says-finmin-ws-l-19784591.htm/amp>

## News Roundup

### NCLT is fully empowered to take all necessary measures within its jurisdiction: Calcutta High Court

The Calcutta High Court reiterated that when statutory tribunals are constituted to decide questions of law and fact, High Courts cannot substitute themselves as decision-making authorities while exercising judicial review. The Court was hearing a writ petition challenging the invocation of NCLT jurisdiction under Section 95 of the IBC in *Sanjay Jhunjunwala & Ors. v. Piramal Finance Limited & Ors.* It noted that proceedings under Section 95 had only been initiated and had not reached the stage requiring a determination by the Adjudicating Authority. The petitioners, it held, may raise all their objections before the NCLT at the appropriate stage.

**For More Details, Please Visit:** <https://www.verdictum.in/court-updates/high-courts/calcutta-high-court/sanjay-jhunjunwala-v-piramal-finance-limited-nclt-ibc-jurisdiction-1600194>

### UP RERA issued advisory to homebuyers after NCLT admitted 129 projects into CIRP

According to media reports, 129 projects belonging to 14 real-estate developers under Uttar Pradesh Real Estate Regulatory Authority (UP-RERA) have entered the CIRP between January 2024 and now. With these projects now under the jurisdiction of the NCLT, the UP-RERA has advised homebuyers that the Resolution Professional (RP) is now the only authority through which they can pursue their claims. It has urged all affected allottees to urgently file their claims with the designated IRPs. Once CIRP begins, a moratorium under the IBC comes into force, halting all regulatory, legal, and recovery proceedings. As a result, UP-RERA cannot take up or continue any complaints, enforcement orders, or hearings related to these projects until the moratorium is lifted.

**For More Details, Please Visit:** <https://www.zeebiz.com/real-estate/news-up-rera-issues-advisory-for-homebuyers-as-129-projects-move-to-nclt-irps-now-the-only-route-384872>

### German corporate bankruptcies to surge to a decade high in 2025: Report

German corporate insolvencies are reportedly projected to hit their highest level in more than a decade this year as the nation grapples with a stubborn economic downturn. Approximately 23,900 companies are expected to file for bankruptcy in 2025, an 8.3% increase from 2024 and the highest figure since 2014, said credit agency Creditreform in its recent Report. While that growth would be slower than in previous years, the rising numbers underscore deep-seated challenges facing German businesses following two years of economic contraction. Many businesses are heavily indebted, struggle to obtain new loans, and are battling structural burdens, said media reports.

**For More Details, Please Visit:** <https://www.reuters.com/business/german-corporate-bankruptcies-surge-decade-high-2025-2025-12-08/>



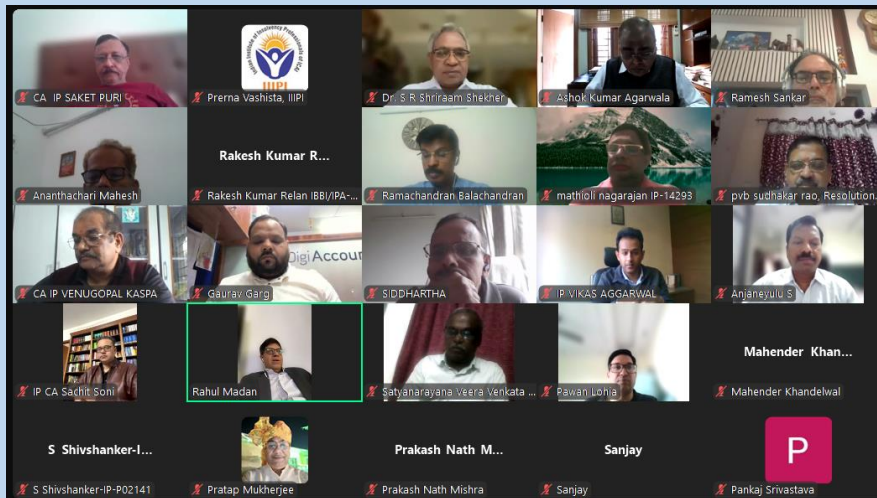
### NCLT Delhi approved Resolution Plan amounting ₹3,800.14 cr. for Sinner Thermal Power Ltd. (STPL)

The Successful Resolution Applicant (SRA) for STPL is a consortium of two public-sector power companies, Maharashtra State Power Generation Company Limited (MAHAGENCO) and NTPC Limited. The CIRP began in Sept. 2022 on an application by operational creditor Shapoorji Pallonji & Company Pvt Ltd.

Of the ₹3,800.14 crore resolution amount, Assenting Financial Creditors (FC) will receive a core payout of ₹3,720.14 crore, subject to certain adjustments. They will also be entitled to future recoveries arising from PUFE transactions. The value of Resolution Plan is 128.07% of the Liquidation value of ₹2,967 crore.

**For More Details, Please Visit:** <https://ibbi.gov.in/uploads/order/2f1368eff976d3e937fe4b62033c0bce.pdf>

## EVENT PHOTOGRAPHS



*18th Batch of EDP (For IPs) on Mastering "Avoidance/Pufe Forensics" Under IBC (Online) conducted by IIIPI from 3rd to 5th December 2025.*



*Webinar on IBC Amendment bill -2025 conducted by IIIPI on 05th December 2025.*

### One Day Virtual Workshop on Managing Corporate Debtors as Going Concern under CIRP on 20th December 2025

A one-day virtual workshop by IIIPI on "Managing Corporate Debtors as Going Concern Under CIRP" for Insolvency Professionals and Registered Valuers will be held on Saturday, 20 December 2025, from 10:30 AM to 4:30 PM. The online programme carries 4 hours of CPE, and the last date for registration is 19 December 2025 by 5 PM.

**For More Details, Please Visit:** <https://www.iiipicai.in/wp-content/uploads/2025/11/WORKSHOP-FLYER-20th-Dec-2025.pdf>