



INDIAN INSTITUTE OF INSOLVENCY PROFESSIONALS OF ICAI

(Company formed by ICAI under Section 8 of the Companies Act 2013)

IIPI Newsletter



February 16, 2026

IIPI Newsletter No. 358

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NCLT approved Resolution Plan for Hotel Horizon

The Resolution Plan, amounting to ₹919 crore and submitted by a consortium of Oberoi Realty, Shree Naman Developers, and JM Financial Properties and Holdings, was approved unanimously by the Committee of Creditors (CoC). Against admitted claims of ₹1,293 crore, the creditors will recover 74% of their claims. Hotel Horizon's principal assets include 1.85-acre freehold land parcel in Juhu, Mumbai.

However, on appeals by the suspended directors, the NCLAT has restricted the creation of equity but allowed the consortium to acquire Hotel Horizon.

For More Details, Please Visit:

<https://propnewstime.com/getdetailsStories/MjYzMDM=/nclt-clears-resolution-plan-for-hotel-horizon-equity-creation-stayed-by-appellate-tribunal>

News Update

**For Internal Circulation Only
Knowledge SBU Initiative

Telecom Spectrum Cannot be Transferred under Insolvency and Bankruptcy Code, rules Supreme Court

The Supreme Court has reportedly ruled that spectrum is off the table when it comes to insolvency resolutions. The Court highlighted that the Insolvency and Bankruptcy Code, 2016 (IBC) does not permit adjustments to spectrum ownership, as it is a crucial public resource that stays in the hands of the government.

“Its ownership and, more importantly, its control with all its attributes, including benefits, have to be secured for its citizens,” said a Bench of the Supreme Court. It was also highlighted that the IBC cannot serve as the guiding framework for restructuring or altering ownership of such a resource. Observing that the asset in question was spectrum allocated through auction, the Court said the attempt to treat spectrum as a corporate asset raised fundamental questions about its ownership, possession, use, and transferability. The judgment is structured in three parts—first, defining the legal character of spectrum; second, identifying the core legal issues; and finally, examining how assets are treated under the IBC and how the framework interacts with telecom laws governing spectrum. The judgment has come on a batch of appeals filed by the Department of Telecommunications (DoT), the Committee of Creditors (CoC) led by the State Bank of India (SBI), and others challenging an April 2021 order of the NCLAT. The lenders argued that the right to use spectrum constituted an intangible asset that should move through the Resolution Plan.

For More Details, Please Visit: <https://economictimes.indiatimes.com/industry/telecom/supreme-court-telecom-spectrum-transfer-insolvency-and-bankruptcy-code-dot-aircel-rcom-case-verdict/articleshow/128289946.cms?from=mdr>

News Roundup

Pending Counterclaim Does Not Bar Financial Creditor from Invoking Insolvency Proceedings, Rules Supreme Court

Interpreting the concept of default under Section 3(12), the Bench of the Supreme Court reaffirmed that insolvency jurisdiction is concerned with the non-payment of a debt that is legally due and payable. Regarding the legal effect of a counterclaim filed by the Corporate Debtor before the Debt Recovery Tribunal (DRT), the Bench held that an unadjudicated counterclaim remains a mere assertion of liability and does not operate as a set-off against an admitted debt. In conclusion, the Supreme Court upheld the finding that the Section 7 application satisfied statutory requirements, was within limitation due to valid acknowledgements of liability, and was not vitiated by pending recovery proceedings or criminal allegations.

For More Details, Please Visit: <https://www.verdictum.in/court-updates/supreme-court/b-prashanth-hegde-v-state-bank-of-india-2026-insc-155-1607511>

Only the Liquidation Value in summary form is to be provided to the members of the CoC: NCLAT, Chennai

Interpreting Regulation 35(2) of the IBBI (Liquidation Process) Regulations, the Appellate Tribunal held that the legislature consciously provides only for disclosure of the liquidation value in summary form to CoC members, not the full valuation reports. Accordingly, the RP's actions were in line with the Code, and the Adjudicating Authority's order upholding them cannot be faulted. The Tribunal further noted that the Appellant had neither challenged the liquidation value nor the valuation process during the CIRP; the subsequent attempt to seek full valuation reports by alleging undervaluation was therefore an afterthought.

For More Details, Please Visit: <https://ibclaw.in/tamilnad-mercantile-bank-ltd-vs-radhakrishnan-dharmarajan-nclat-chennai/>

USA's Eddie Bauer store operator files for bankruptcy, seeks sale of 180 apparel stores in the USA and Canada

The company will reportedly keep door open for a buyer to acquire its entire brick-and-mortar retail business. The bankruptcy will not impact its online sales, apparel manufacturing or wholesale sales businesses, which are owned and operated separately. The bankrupt Eddie Bauer retail company has \$1.7 billion in debt, according to its court filings. Eddie Bauer, founded in Seattle, has sold outdoor sportswear for 106 years. But the retail company said it has recently struggled with declining sales, supply chain challenges, inflation and business uncertainty due to unpredictable U.S. tariffs.

For More Details, Please Visit: <https://www.reuters.com/legal/litigation/eddie-bauer-store-operator-files-bankruptcy-seeks-sale-2026-02-09/>



Vedanta Challenges CoC's Approval of Adani's Resolution Plan for JAL before NCLT

According to media reports, Vedanta Ltd. has urged the Adjudicating Authority (AA) to review the decision of the Committee of Creditors (CoC) approving Adani Enterprises Ltd.'s resolution plan of over ₹15,000 crore for Jaiprakash Associates Ltd. (JAL).

In its application before the NCLT, Allahabad, Vedanta Ltd. has alleged a "commercial conspiracy" and requested the tribunal to send the Plan back to lenders for fresh consideration. Vedanta further contended that it was sidelined even though it had emerged as the highest bidder in earlier rounds, with a bid of ₹12,505 crore on a net present value basis.

However, the CoC led by State Bank of India has reportedly defended the auction process.

For More Details, Please Visit: <https://www.livemint.com/companies/news/vedanta-nclt-adani-enterprises-jaiprakash-associates-resolution-plan-ibc-11770888090562.html>

EVENT PHOTOGRAPHS



5th Batch -- Executive Development Program Cross Border Insolvency from 10th February 2026 to 11th February 2026.



Webinar on IBC Amendment Bill, 2025 conducted by IIPICAI on February 13, 2026.

26th Batch of EDP on Managing Corporate Debtors as going concern under CIRP

The 26th Batch of the Executive Development Program on “Managing Corporate Debtor as a Going Concern under CIRP (for IPs)” will be conducted from 23rd to 27th February 2026.

The program has a duration of 30 hours spread over 5 days and offers 20 hours of Continuing Professional Education (CPE). The last date to register is 22nd February 2026 by 5 PM.

For More Details, Please Visit: <https://www.iipicai.in/wp-content/uploads/2026/02/26th-Batch-EDP-Flyer.pdf>