

INDIA JURIS

Making business  
decisions easier

# Restructuring Insolvency Bankruptcy Stressed Assets

Acquisition Advisory Implementation Legal representation



INDIA JURIS

Corporate Dispute Resolution Tax Insolvency Intellectual Property M & A Start-up Investments Capital Markets Fund Setup & Advisory

New Delhi Gurgaon Mumbai Bangalore GIFT City

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## About IJ

**25<sup>+</sup>**  
*Years*

**45<sup>+</sup>**  
*Lawyers*

**5**  
*Offices*

**350<sup>+</sup>**  
*Transactions  
Annually*

*No.1 in India for  
maximum no. of  
PE transactions  
Jan - Dec 2023*



**VENTURE**  
**INTELLIGENCE**

**INDIA JURIS** is a full-service law firm and regularly represent Banks, ARC's Financial institutions, Creditors, Corporates, Resolution Professionals, Real Estate Projects, Home Buyers, Private Equity investors and HNIs on matters related to insolvency resolution proceedings and distressed assets. Firm has capabilities to execute the insolvency proceedings and implement resolution plans in India and involving multi-jurisdictions with network of insolvency professionals in more than 75 countries

## *Acting as IRP / RP / Liquidator*

Sameer Rastogi, the managing partner of the firm is an Insolvency Professional duly registered with Insolvency & Bankruptcy Board of India (IBBI), since the implementation of Insolvency and Bankruptcy Code 2016 in India. He has acted /acting as Interim Resolution Professional (IRP), Resolution Professional (RP), Liquidator and Monitoring Agency for implementation of Resolution plan in various matters.

We have in-depth knowledge of the processes and have skilled team to support on IBC matters. If you are a Financial Creditor, Operational Creditor or a member of any Committee of Creditors (COC) in any Corporate Insolvency Resolution Process and want to recommend or appoint IRP, RP, Monitoring Agency or Liquidator, our managing partner shall be happy to accept the assignment, subject to conflict check.

We have been advising Insolvency Professionals all over India on the Corporate Insolvency Resolution Process from time to time.

## *CIR Process Advisor*

The firm has immense experience due to versatile Insolvency and Bankruptcy practice and matters handled by the lawyers and other professionals of the firm. Having hands on all the processes, compliances, formats, latest judgements and court's view, we are very well placed to act as Corporate Insolvency Resolution Process (CIRP) Advisors to the RPs, Liquidators, Corporate Debtors and other stakeholders..

The services as CIR Process Advisor includes :

- Handholding and guiding through out the CIRP
- Assistance in preparing Information memorandum and Process Memorandum for invitation and evaluation of resolution plans
- Advising on bidding / auction process and documentation
- Assistance in getting forensic audit done and analysis of forensic audit as per IBC

## *Designing & Implementation of Plan*

We assist potential Resolution Applicants, Successful Resolution Applicants of any CIRP, in drafting and implementation of the Resolution Plans. Our services would include following::

- End-to-end hand holding in implementation of Resolution Plan.
- Coordination with the RP / Monitoring Agency for drafting & implementation of Plan.
- Drawing for transfer of shares to the RA (Resolution Applicant).
- Necessary documentation implementation chart and strategy
- Drafting of documents relating to loans and advances by RA to CD (Corporate Debtor) under the Resolution Plan.
- Assistance in taking over management and control of the CD by RA and appointing its nominee directors and key managerial persons.
- Confirmation of satisfaction of charges filed by Financial Creditors (FCs) with ROC on Closing.

## *Designing & Implementation of Plan*

- Coordination with RP / Monitoring Agency for updating statutory registers of CD
- Guidance on applicability and payment of stamp duty and taxes during implementation.
- Approval / application / appearances before NCLT.
- Documentation for CIRP Cost Payment / FC / Employees / OC.
- Guidance on dematerialization of physical form of shares.
- Advisory, assistance and legality of concessions and waivers sought in the resolution plan in light of recent judgements
- Assisting RA in responding notices / letters / claims received by RA whether admitted or not by RP.
- Seeking clarifications / directions from AA during implementation, if required.
- Confirmation of withdrawal of proceedings initiated by FCs
- Advising on NOCs from FCs to RA.

## *Litigation – Insolvency Matters*

India Juris is deep into litigation matters relating to insolvency and bankruptcy laws, dealing with such matters since the inception of IBC in 2016 in India. We are representing in courts all types of stakeholders in CIR Process including Financial Creditors, Operational Creditors, Ex-management, Ex-Directors, Home Buyers, RP, IRP, Liquidator, COC, Employees and others before National Company Law Tribunal (NCLT), National Company Law Appellate Tribunal (NCLAT), High Courts and Supreme Court. The Litigation services would normally include:

- Issuing demand notices under IBC 2016 or defending the notices received
- Filing cases before NCLT under section 7, 8, 9 & 10, for initiating CIRP
- Drafting, filing and representing before NCLT / NCLAT on various types applications during CIRP / Liquidation
- Drafting, filing and appearing (for and against) in Preferential, Undervalued, Fraudulent and Extortionate transactions under IBC 2016.
- Other litigation matters not specifically mentioned herein pertaining to IBC 2016



## *Other Legal Services during CIRP*

The firm has experience in representing all types stakeholders in CIRP and Liquidation process at various level of proceedings. The services rendered by us includes :

- Advising and representing various stakeholders in the resolution process.
- Representing various stakeholders in Committee of Creditors
- Registering claims of creditors with IPs during Insolvency process
- Claim verification and acceptance issues
- Corporate re-structuring
- Assistance in arriving at Liquidation Value
- Assistance and training on conducting resolution process
- Bidding in insolvency and liquidation process
- Voluntary liquidation matters
- Drafting and preparing advising on the scheme under Companies Act before the Liquidation process.

## *Delivery Modus*

All the services under this assignment will be provided by a team of experienced professionals having extensive experience in IBC matters, and litigation before NCLT, NCLAT, High Court and Supreme Court.. The team shall comprise of professionals like Lawyers, Company Secretaries and Chartered Accountants. The team shall put its best endeavors to ensure turn around time (ToT).

Following shall be the lead contacts, each having rich experience :-

- **Mr. Sameer Rastogi**      [srastogi@indiajuris.co.in](mailto:srastogi@indiajuris.co.in)
- **Mr. Dinesh Sabharwal**      [dsabharwal@indiajuris.co.in](mailto:dsabharwal@indiajuris.co.in)
- **Ms.Sanya Arora**      [sarora@indiajuris.co.in](mailto:sarora@indiajuris.co.in)
- **Mr. Barun Dey**      [bdey@indiajuris.co.in](mailto:bdey@indiajuris.co.in)

## *Confidentiality*

- Confidential information of the Client that come to our knowledge or might come to our knowledge during the provision of services shall not be divulged by us.
- We shall put our best endeavor to protect and safeguard the Confidential Information against unauthorized use, publication or disclosure.
- We shall put our best endeavor to restrict access to the Confidential Information to only those officers, directors and employees who clearly need such access to carry out any activity for the provision of services.
- We shall not directly or indirectly, in any way, reveal, report, publish, disclose, transfer or otherwise use any of the Confidential Information except as specifically authorized.

INDIA JURIS

Making business  
decisions easier

Advising fortune 500 clients  
from across the globe on their  
most complex transactions  
and disputes



INDIA JURIS

F-116, Lajpat Nagar-1, New Delhi -110024  
Ph: +91-11-29814816, 29814817, 49873283  
Email: newdelhi@indiajuris.com

Unit No. FF38, Pragya Accelerator, Block-15,  
Zone-1, Road No.-11, Processing Area GIFT  
SEZ, GIFT City, Gandhinagar – 382355  
(Gujarat, India)  
Email: giftcity@indiajuris.com

Bizhub Aspire Center, #36, 1st Floor  
80ft Road, Ejipura, Koramangala, Bengaluru-  
560034, Karnataka  
Ph: 8929197211  
Email: bengaluru@indiajuris.com

434-435, 4th Floor, Vipul Trade Centre  
Sec-48, Sohna Road, Gurgaon, Haryana, India  
Ph: +91-124-4385072  
Email: gurgaon@indiajuris.com

Technopolis Knowledge Park, 5th floor, Mahakali  
Caves Road, Chakala, Andheri - (East), Mumbai-  
400093, Maharashtra, India  
Email: mumbai@indiajuris.com