



भारतीय विवाला और शोधन अकमता बोर्ड
Insolvency and Bankruptcy Board of India

IBSI INSTITUTE OF INSOLVENCY PROFESSIONALS
A wholly owned subsidiary of ICSI and registered with IBBI



UK Government

The Insolvency and Bankruptcy Board of India
in association with
ICSI Institute of Insolvency Professionals
and in collaboration with
the British High Commission

organises

Webinar on

***“Reviewing and Challenging Avoidable Transactions under IBC:
How to maximise the assets”***

**Thursday, 28th May 2020
3:30 – 6:00 PM**

WELCOME ADDRESS

Dr. Binoy J. Kattadiyil
Managing Director, ICSI IIP

INTRODUCTION ADDRESS

CS Nagendra D. Rao
Vice President, ICSI

KEYNOTE ADDRESS

**Mr. K. R. Saji Kumar, Executive Director, IBBI
&**

Mr. Rahul Ahluwalia, First Secretary (Financial Services, British Deputy High Commission)

The Insolvency and Bankruptcy Code, 2016 (Code) is a dynamic law, evolving to meet emerging needs of the stakeholders of the process. Provisions relating to avoidance transactions is part of the key features of the Code. The Code provides that where value has been lost on account of such transactions (preferential transactions, undervalued transactions, extortionate credit transactions and fraudulent transactions) with related parties in the preceding two years or with others in the preceding one year, a claw back of such value or suitable relief may be obtained.

Basis diligence, review and determination by the Resolution Professional, an application is required to be made to the National Company Law Tribunal challenging such antecedent transactions, wherein an independent judicial mind is applied for granting appropriate relief in terms of the provisions of the Code.

This webinar shall endeavour to bring to the attention of the Insolvency Professionals, acting in the capacity of Resolution Professionals and Liquidators, various duties and best practices which must be discharged to ensure that avoidance transactions are effectively identified, sufficient evidence is collected and enforcement is triggered so that they collectively result in an increased recovery from such transactions. The panellists, based on their rich experience, shall discuss the issues being faced in successful challenge to such avoidable transactions and in this regard, also analyse the jurisprudence as developed by the Judiciary through its various Orders. Moreover, an overview of the prevailing framework in other leading international jurisdictions will also be presented along with its applicability in the Indian context.

Eminent Speakers

1. **Mr. Dhananjay Kumar:** Mr. Kumar is a part of the Restructuring and Insolvency practice at **Cyril Amarchand Mangaldas**. He advises lenders, office- -holders and acquirers on in-court restructuring matters including under the Code and out-of-court restructuring cases. He is a member and fellow of INSOL International and a member of the American Bankruptcy Institute.
2. **Mr. Dhruv Phophalia:** Mr. Phophalia is Managing Director with **Alvarez & Marsal** and leads the firm's Disputes and Investigations practice in India. He has more than 20 years of experience and specialises in bankruptcy & claims management, asset searches, expert testimony, fraud investigations, anti-bribery and corruption consulting & litigation support. He has also worked on expert testimony engagements on avoidance matters in the U.S. courts.
3. **Ms. Madlyn Gleich Primoff:** Ms. Primoff is a partner in the restructuring and insolvency team at **Freshfields Bruckhaus Deringer, New York Office**. She has more than 25 years of experience representing companies, global financial institutions, and private credit investors in US domestic and cross-border out-of-court restructurings, pre-packaged Chapter 11 cases. She has been ranked as a leading attorney in Chambers USA, Best Lawyers and Expert Guides – Women in Business Law. She has also been named the “Best in Insolvency and Restructuring” – Americas Women in Business Law Awards (2016) by Euromoney.
4. **Mr. Craig Montgomery:** Mr. Montgomery is a partner in the dispute resolution practice and restructuring and insolvency practice at **Freshfields Bruckhaus Deringer, London Office**. He has advised on a range of matters, including restructuring and insolvency matters, especially complex matters in regulated industries or involving cross-border issues. He has also advised on commercial litigation and corporate global investigations. He is a fellow of INSOL International.

Link for accessing Webinar	https://svilive.in/ICSI_IIP/
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