

**Lesson 10**  
**CROSS BORDER INSOLVENCY**  
**Case Laws**

<b>SR No.</b>	<b>Case Laws</b>	<b>Topic</b>	<b>Takeaway</b>
1	Jet Airways (India) Ltd. Vs. State Bank of India & Anr. (NCLAT)  (Case study)	Cross border insolvency	<p>This case involves parallel insolvency proceedings in India as well as in the Netherlands. NCLAT held that, the COC has no role to play as the agreement reached between the 'Dutch administrator' and the 'Resolut on Professional' of India is on the basis of the direct on of appellate tribunal.</p> <p>The NCLAT clarif ed that the 'Dutch Trustee (Administrator) will work in co-operat on with the 'Resolut on Professional of India' and, if any, suggest on is required to be given, he may give it to the 'Resolut on Professional'. The draf of 'Cross Border Insolvency Protocol' clause is made f nal and should be treated as a direct on of appellate tribunal.</p>