

LEGAL UPDATES

NCLAT: DIRECTORS WHO HAVE SUCCEEDED ARE NOT ELIGIBLE TO PARTAKE IN MEETING OF CoC

In an appeal decided by NCLAT in the Dheeraj Wadhawan case, the Appellant had filed the instant appeal against the Miscellaneous Application under sec.60(5) of IBC in order to seek participation in CoC'S meetings of DHFL, the Hon'ble NCLT dismissing the application upheld that the Appellant being the former member of the Board of Directors is not eligible to attend the meeting of CoC. Significantly, the Appellants are the previous Directors of the Corporate Debtor who have been replaced on the Board of Directors.