

# AXIS TRUSTEE SERVICES LIMITED

## Yes Bank Limited – AT1 Bond Issuances

### Brief of Matter –

A Writ Petition (No. 850/2020) [“WP”] was filed by Axis Trustee Services Limited, as AT-1 Bond Trustee, in the Hon’ble High Court, Bombay as per instructions of the majority AT-1 Bondholders (ISIN no. INE528G08352 aggregating to Rs.3000 Crs. and INE528G08394 aggregating to Rs.5415 Crs.) against the Administrator, Yes Bank, RBI and Yes Bank and other respondents seeking *interalia* the following reliefs: s

- a) Writ of Certiorari for examination and squashing/ setting aside the decision of write off of the AT-1 Bonds;
- b) Writ of Mandamus to reverse the effect of any accounting entries, noting’s, write off, cancellations undertaken pursuant to such decision; and
- c) Ad- Interim Reliefs.

The Hon’ble High Court delivered the Judgement dated 20.01.2023 in favour of Axis Trustee Services Limited by quashing and setting aside the decision of the Administrator to write off the AT-1 Bonds thereby observing that-

- (a) The Final Reconstruction Scheme did not authorize the Administrator to write off AT-1 Bonds thus the Administrator was not competent to write off the AT-1 Bonds.
- (b) The Administrator exceeded his powers and authority in writing off AT-1 Bonds after the Bank was reconstituted on March 13, 2020.
- (c) The order shall not stop the Respondents viz., RBI, Yes Bank, Yes Bank Administrator to pursue an appeal before the Supreme Court of India within a time period of 6 weeks if they wish to.

As on date, to the best of our knowledge, no appeal is filed by the Respondents before the Supreme Court of India.