

Bankruptcy of *ATP Vojvodina* began more than 13 years ago and it has been conducted in accordance with the Law on Bankruptcy Procedure

Behaviour of the Bankruptcy Trustee Nikola Pavlović and Bankruptcy Judge Vladislav Kurtek was a problematic issue in the phase of selling of the main property because they implemented provisions of the Law on bankruptcy which were not relevant for this case, and even the earlier sales were done in the same.

The consequences are the following:

Procedure before ALSU

30 July 21 Complaint and its amendment
15 September 21 Report on the completed control
1 November 21 Amendment to the complaint to ALSU
8 November 21 Second amendment to the complaint to ALSU
8 December 21 Third amendment of the complaint to ALSU

We are expecting a just report of the Director of ALSU, taking into consideration the fact that the institution refers to the court decisions.

Procedure before courts

Step 1: The Bankruptcy Trustee demands from the court to confirm selling of a part of the property
Step 2: The Bankruptcy Judge makes the decision to realize the selling through the Cadastre, and that is the procedure in accordance with some other law.
Step 3: Complaint of the Trustee and investor Ilija Devića
Step 4: Decision of the Commercial Court of Appeal, the Court accepts the complaint that the selling is not in accordance with the law
Step 5: The Bankruptcy Trustee again demands from the bankruptcy court to act in the same way.
Step 6: The judge Vladislav Kurtek makes the same decision again.
Step 7: The investor and Trustee Ilija Dević again files a complaint.
Step 8: Deciding about the complaint at the Commercial Court of Appeal is in progress.

Procedure before the prosecution

Criminal charges against The Bankruptcy Trustee and Bankruptcy Judge because of the damage inflicted on the trustees because of their unprofessional work.

The criminal charges are forwarded to the Higher Public Prosecution to be processed.

CONCLUSION: We are expecting that the Commercial Court of Appeal stays true to their attitude given in the first decision.

That attitude in the decision is:

“The Law on the Bankruptcy Procedure does not prescribe that after completed selling the court decision states that the selling has been completed and that the same gives the order for Zakon o stečajnom postupku ne propisuje da se po izvršenoj prodaji sudskom odlukom konstatuje da je prodaja izvršena, te da se istom nalaže deletion of the burden and entry of the rights acquired by the buyer in the appropriate register. The current Bankruptcy Law, which is not applied in the specific bankruptcy procedure, envisages a court decision as the basis for acquiring property rights over the property purchased in the bankruptcy procedure, stating that the sale has taken place and ordering the registration of the cancellation of the burden and entry of the right in favour of customer. According to the provisions of the Bankruptcy Procedure Act, since it does not prescribe that after the sale, a court decision states that the sale has been made, the basis for acquiring the rights of the buyer in the sale procedure is the contract. ”