

BEFORE THE HON'BLE NATIONAL COMPANY LAW TRIBUNAL

NEW DELHI

PRINCIPAL BENCH

Case No. CA 2182 (PB)/ 2019



Section 7 of the Insolvency and Bankruptcy Code, 2016 read with Rule 4 of Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016

In the matter of

M/s Edelweiss Asset Reconstruction Company Limited

.....Applicant
(Financial Creditor)

And

M/s Sameeksha Estate Private Limited

..... Corporate Debtor

INDEX

S.no.	Particulars	Pages
1	List of Creditors updated for claims received upto June 24, 2021	1-6
2	Affidavit	7-8

Submitted By:-

RESOLUTION PROFESSIONAL

In the matter of Sameeksha Estate Private Limited



Udayraj Patwardhan

Registration Number: IBBI/PA-001/IP-P00024/2016-17/10057

Address registered with IBBI and project specific address:

Sumedha Management Solutions Pvt. Ltd.,

C-703, Marathon Innova, off. G.K. Marg,

Lower Parel West, Mumbai-400 013

E-mail Id as per IBBI registration- udayraj_patwardhan@sumedhamanagement.com

Project specific e-mail ID- sameeksha@sumedhamanagement.com

Date: Mumbai

Place: July 01, 2021

1

BEFORE THE HON'BLE NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI
PRINCIPAL BENCH

Case No. CA 2182 (PB)/ 2019

In the matter of under Section 7 of the Insolvency and Bankruptcy Code, 2016 read with Rule 4 of Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules 2016

M/s Edelweiss Asset Reconstruction Company Limited

.....Applicant
(Financial Creditor)

And

M/s Sameeksha Estate Private Limited

..... Corporate Debtor

List of Creditors under Regulation 13(2)(d) of Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 by Mr. Udayraj Patwardhan, Resolution Professional under the Insolvency and Bankruptcy Code, 2016

1. The application for Corporate Insolvency Resolution Process filed by M/s Edelweiss Asset Reconstruction Company Limited (Financial Creditor) under Section 7 of the Insolvency and Bankruptcy Code, 2016 ("Code") read with Rule 4 of Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules 2016 was admitted by Hon'ble NCLT, New Delhi, Principal Bench vide order no. CA 2182(PB)/2019 dated November 01, 2019 (Date of receipt of order by Interim Resolution Professional November 06, 2019) wherein Mr. Udayraj Patwardhan, the undersigned was appointed as Interim Resolution Professional ("IRP") in the matter of Sameeksha Estate Private Limited.
2. The Committee of Creditors at its First meeting held on December 06, 2019 resolved vide E-voting to continue the appointment of Interim Resolution Professional as Resolution Professional.
3. As per Regulation 13(2) of Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulation 2016 ("CIRP Regulations"), a List of Creditors containing names of creditors along with the amount claimed by them, the amount of their claims admitted and the security interest, if any, in respect of such claims received upto November, 20 2019 the last date for submission of claims as per Public Announcement was filed with this Hon'ble Tribunal.



4. As per regulation 13(1) of the CIRP Regulations, the list of creditors containing names of creditors along with the amount claimed by them, the amount of their claims admitted and the security interest, if any, in respect of such claims, has been maintained and was last updated upto August 05, 2020, was duly filed with this Hon'ble NCLT and is further updated for claims received and verified and/or on receipt of additional information warranting revision of list of creditors up to June 24, 2021.
 5. The verification of the claims has been based on the claims submitted and information provided by the creditors and information to the extent available with the RP and has been admitted on the basis of our best estimate in accordance with Regulation 14 of the CIRP Regulations.
- Further as the case may be, the undersigned shall revise the amounts of claims admitted, including the estimates of claims made, as soon as may be practicable, when he comes across additional information warranting such revision.
6. The list of creditors has been updated in view of further claims and/or additional information warranting such updation, received up to June 24, 2021.
 7. In compliance with Regulation 13(2) (d) of CIRP Regulation, an updated list of creditors along with amount claimed, claims admitted and security interest in respect of claims received and verified and admitted up to June 24, 2021, is enclosed as **Annexure A**.

RESOLUTION PROFESSIONAL

In the matter of Sameeksha Estate Private Limited





Udayraj Patwardhan

Registration Number: **IBBI/PA-001/IP-P00024/2016-17/10057**

Address registered with IBBI and project specific address

Sumedha Management Solutions Pvt. Ltd.,

C-703, Marathon Innova, off. G.K. Marg,

Lower Parel West, Mumbai-400 013

E-mail Id as per IBBI registration- udayraj_patwardhan@sumedhamanagement.com

Project specific e-mail ID- sameeksha@sumedhamanagement.com

Date: July 01, 2021

Place: Mumbai

ANNEXURE - A**LIST OF CREDITORS OF SAMEEKSHA ESTATE PRIVATE LIMITED****Summary - List of Creditors for claims as on November 06, 2019****Drawn for claims received up to June 24, 2021****(IN RUPEES)**

SR. NO.	PARTICULARS	NO. OF PARTIES	AMOUNT CLAIMED BY CREDITORS	AMOUNT ADMITTED
I	FINANCIAL CREDITORS - FORM C			
(A)	FINANCIAL CREDITORS (CLAIMED IN FORM C)	1	5,49,56,38,423.00	5,02,72,38,423.00
	TOTAL I	1	5,49,56,38,423.00	5,02,72,38,423.00
II	OPERATIONAL CREDITORS - FORM B			
(A)	SUPPLIERS/RM SUPPLIERS/ OTHER SUPPLIERS/CONSULTANTS (CLAIMED IN FORM B)	0	-	-
III	WORKMEN/EMPLOYEES - FORM D			
(A)	EMPLOYEES (CLAIMED IN FORM D)	0	-	-
(B)	WORKMEN (CLAIMED IN FORM D)		-	-
IV	AUTHORITATIVE REPRESENTATIVE OF WORKMEN AND/OR EMPLOYEES-FORM E	0	-	-
	TOTAL II	0	-	-
V	OTHER STAKEHOLDERS (FORM F)	2	47,46,21,676.00	46,84,00,000.00
	TOTAL III	2	47,46,21,676.00	46,84,00,000.00
	GRAND TOTAL (I+II+III)	3	5,97,02,60,099.00	5,49,56,38,423.00

*** Notes:**

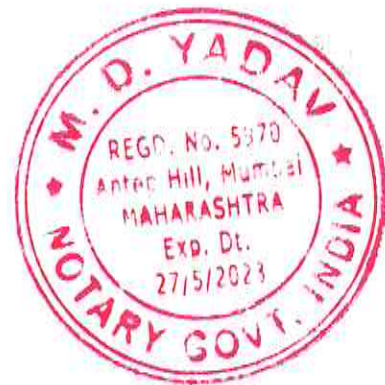
1 The claims received has been verified as on Insolvency Commencement Date of Sameeksha Estate Private Limited ("Corporate Debtor") i.e. November 06, 2019

2 All the claims submitted has been verified and admitted on the basis of information provided by the creditors and information to the extent available with the IRP, on the basis of **our best estimate** in-accordance with Regulation 14 of Insolvency and Bankruptcy Board of India (Insolvency Resolution Process of Corporate Person) Regulations, 2016.

3 As per Regulation 14 of Insolvency & Bankruptcy Board of India (Insolvency Regulation Process for Corporate Persons) Regulations, 2016, the Resolution Professional, as the case may be, shall revise the amounts of claims admitted, including the estimates of claims made, as soon as may be practicable, when he comes across additional information warranting such revision.



I FINANCIAL CREDITORS - FORM C						
The Public Announcement called for submission of proof of claims from Financial Creditors in Form C as stipulated in Regulation 8. Till 24.06.2021 the undersigned Interim Resolution Professional has received claims from the following Financial Creditors:						
(A) FINANCIAL CREDITORS - FORM C RECEIVED						
(In Rupees)						
Sr. no.	Name	Amount claimed	Amount Admitted	Amount rejected	Voting Share (%) in CoC	Security Interest
A. Financial Creditors						
1	Edelweiss Asset Reconstruction Company Ltd.	5,02,72,38,423.00	5,02,72,38,423.00	-	100.00%	1.Second charge on land bearing Khewat/Khata No. 674/779, 1183/1353, 1394/1611, 1137/1324, 1152/1339, 1394/1611, 1156/1344, 1153/1340,1121/1308, 1180/1370, 1181/1371, 1271/1482 in total admeasuring 14.52 acres alongwith building structure constructed/ to be constructed thereon located at Mouza Palwal, Thesil-palwal, distt-Faridabad, Haryana. 2.Second charge on on land bearing Khewat/Khata No. 107/125 admeasuring 4.02 acres alongwith buidling structure constructed/ to be constructed thereon located at village alahpur, thesil palwal, district - Faridabad, Haryana. No Objection Certificate issued by exclusive/first charge holder ceding their exclusive charge on the properties of Corporate Debtor, as Second Charge to Edelweiss Asset Reconstruction Company Limited ("EARC") has been sought from EARC
2	IFCI Limited	46,84,00,000.00	-	46,84,00,000.00	-	Not admissible as Financial creditor
TOTAL (A)		5,49,56,38,423.00	5,02,72,38,423.00	46,84,00,000.00	100.00%	
B. Financial Creditor-Related Party						
TOTAL [B]		-	-	-	-	
TOTAL [C]= [A] + [B]		5,49,56,38,423.00	5,02,72,38,423.00			
* Note:						
All the claims are admitted on the basis of Honable NCLAT Principle Bench, New Delhi dated 20th September, 2019 and Honable NCLT Principle Bench New Delhi dated 1st November,2019.						
2 Pursuant to the Supreme Court judgement dt. 26th February 2020 in the matter of Jaypee Infratech ltd the claim of IFCI as Financial Creditor does not suffice to be "financial creditor" solely basis mortgage transaction in favour of the lenders of the group companies and accordingly the claim is not admissible as Financial Creditor of the Corporate Debtor.						



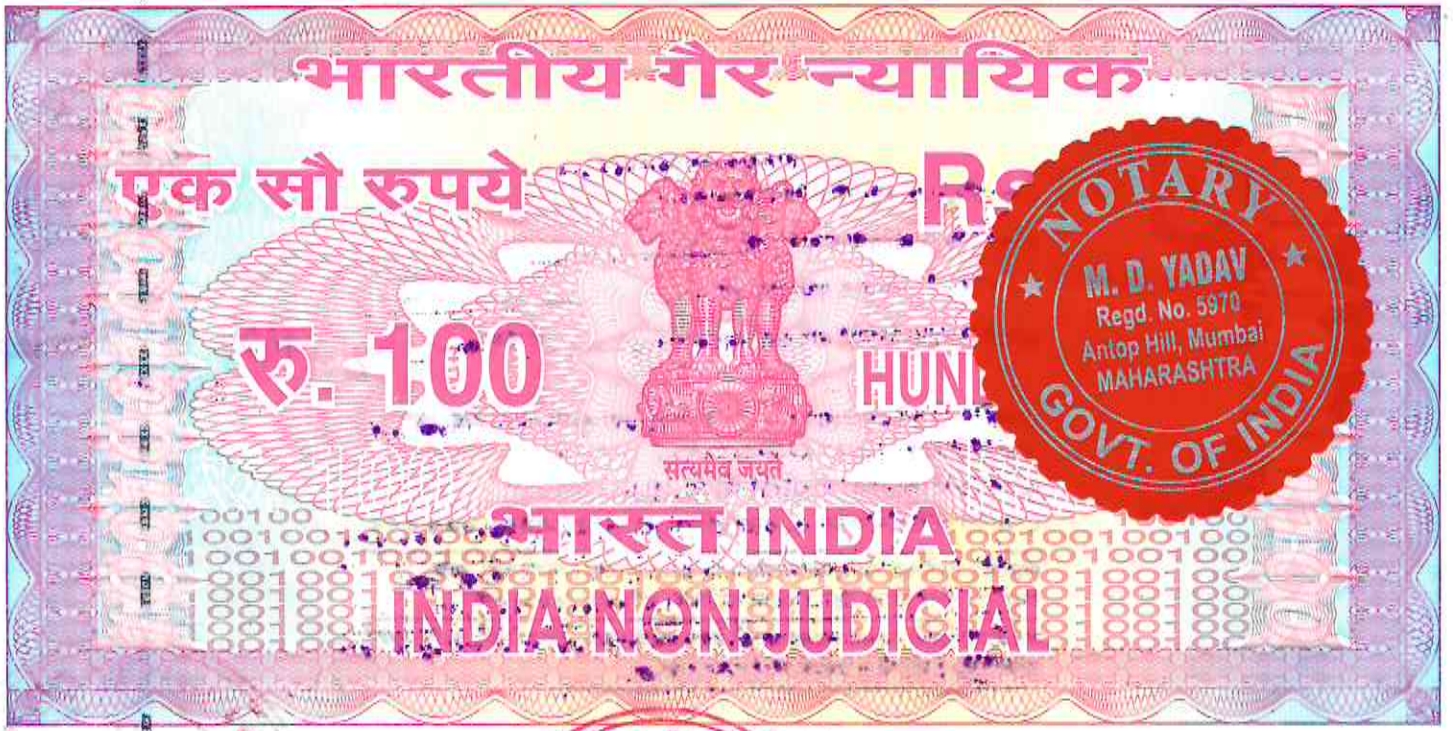
II	(A)	OPERATIONAL CREDITORS - FORM B						
		OPERATIONAL CREDITORS-Contractors/ Suppliers/Consultants - FORM B Received						
		The Public Announcement called for submission of proof of claims from Operational Creditors in FORM B as stipulated in Regulation 7. Till 24.06.2021 the undersigned Resolution Professional has not received any claims from the Operational Creditors:						
		Workmen / Employees - FORM D Received						
III	(B)	Employee- Form D						
		The Public Announcement called for submission of proof of claims from Employees in FORM D as stipulated in Regulation 9. Till 24.06.2021 the undersigned Resolution Professional has not received any proof of claim from the Employees of the Corporate Debtor.						
IV	(C)	Workmen- Form D						
		The Public Announcement called for submission of proof of claims from Workmen in FORM D as stipulated in Regulation 9. Till 24.06.2021 the undersigned Resolution Professional has not received any claim from the Workmen of the Corporate Debtor.						
V	(D)	Authorised Representative of Workmen and/or Employees - FORM E Received						
		The Public Announcement called for submission proof of claims from Authoritative Representative of Workmen and/or Employee in FORM E as stipulated in Regulation 9. Till 24.06.2021 the undersigned Resolution Professional has not received any claims from the Authorised Representative of Workmen and/or Employees.						
VI	(E)	Claims by creditors other than Operational, Financial and Employee/Workman - FORM F Received						
		The Public Announcement called for submission of proof of claims from a person claiming to be a creditor, other than Financial Creditor, Operational Creditor or Workmen or Employee in FORM F as stipulated in Regulation 9A. Till 24.06.2021 the undersigned Resolution Professional has received claims from following persons.						
		Sr. no.	Name	Amount claimed (Rs.)	Amount Admitted (Rs.)	Amount rejected (Rs.)	Security Interest	Date of receipt of claim
		1	Adel Landmarks Limited	62,21,676.00	-	62,21,676.00		13-12-2019
		2	IFCI Limited	46,84,00,000.00	46,84,00,000.00	0.00	As Per Annexure	19-03-2020
			Total	47,46,21,676.00	46,84,00,000.00	62,21,676.00		
		Notes:						
		1	Claim of IFCI as Secured Other Creditor is admissible as mortgage claim as per the decision of Hon'ble Supreme Court in the matter of Jaypee Infratech Ltd.					



Annexure**Security Interest of IFCI Limited**

Exclusive First Charge in favour of IFCI Limited by way of deposit of title deeds of the immovable properties of the Corporate Debtor in respect of 18.64 acres together with all buildings, constructions, erections thereon constructed or to be constructed thereon, present and future, and being lying and situated at sector 8 village, Palwal, Tehsil and District Palwal, state of Haryana as per Memorandum of Entry no. 53/2013 dated 23rd August 2013





महाराष्ट्र MAHARASHTRA

YM 975456



श्री. वि. क. गवई

AFFIDAVIT

I, Udayraj Patwardhan, aged about 50 years, having my address registered with the Insolvency Bankruptcy Board of India at Sumedha Management Solutions Pvt. Ltd. C-703, Marathon Innova, Off G.K. Marg, Lower Parel West, Mumbai 400 013, do hereby solemnly affirm and state as follows:-



Udayraj Patwardhan

611

जाडपत्र-१ Annexure

केवल प्रमाणपत्रासाठी Only for Affidavit

मुद्रांक विकत घेणाऱ्याचे नाव Udayraj Patwardhan

मुद्रांक विकत घेणाऱ्याचे रहिवासी पत्ता L. Patel - 13

मुद्रांक विकत घेण्यातली नोंद वही अनु. क्रमांक _____ दिनांक _____

24 MAR 2021



मुद्रांक विकत घेणाऱ्याची सही परवानाधारक मुद्रांक विकतघ्याची सही
परवाना क्रमांक ८०००००९

मुद्रांक विकत घेणे नाव/पत्ता ज्योती पी. दुआ

६, कोंडाजी व्हिल्डिंग नं. ३, टाटा हॉस्पिटल, घरेल, मुंबई - ४०००१२

राज्यातील कार्यालयासमोर/न्यायालयासमोर प्रतिज्ञापत्र सादर करणेसाठी मुद्रांक
कमगटणी आवश्यकता नाही. (शासन आदेश दि. ०१/०७/२००४) नुसार

ज्या कारणासाठी ज्यांनी मुद्रांक जिरेंदी केला त्यांनी त्याच कारणासाठी मुद्रांक खर्च
वेळोवेळी घेणे आवश्यक आहे.



1. That I am the Resolution Professional of the Sameeksha Estate Private Limited (Corporate Debtor) and I am well conversant with the facts and circumstances of the present documents for filing. I am authorized and competent to depose to the present affidavit on behalf of the corporate debtor.
2. That the List of Creditors has been prepared under my instructions and that the contents of the list and report are correct to the best of my knowledge and verily believe them to be true.
3. That I have read the accompanying list and have understood the contents therein. No part of it is false and nothing material has been concealed therefrom.



Udayraj Patwardhan
DEPONENT

VERIFICATION:

I, the deponent above named do hereby verify that the contents of this affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed there from.

Verified by me on this 1st day of July, 2021.



Udayraj Patwardhan
DEPONENT

BEFORE ME
Mohanjal D. Yadav
MOHANJAL D. YADAV
 B.Com., LL.B., Regd. No. 5970
 NOTARY GOVT. OF INDIA
 Resi.: Shanti Nagar, S. P. Rd.,
 Antop Hill, Mumbai - 400 037