

FORM CA

SUBMISSION OF CLAIM BY FINANCIAL CREDITORS IN A CLASS

(Under Regulation 8A of the Insolvency and Bankruptcy (Insolvency Resolution Process for Corporate Persons) Regulations, 2016)

Date: _____

From

ABC S/o DEF

Address- xxxxxxxxx

To

Mr. Amarpal IRP

IRP Reg. No. IBBI/IP-P-P01584/2018-19/12411

The Interim Resolution Professional in M/s. AJNARA INDIA LIMITED

Address for Sending Claims:

A-304, Plot No. 3C, Mandakini Apartments,

Sector-2, Dwarka, New Delhi-110075

Email address: amarpal@icai.org

Subject: Submission of Proof of Claims by CLASS OF FINANCIAL CREDITORS pursuant to initiation of insolvency proceeding against the M/s. AJNARA INDIA LIMITED vide order dated 20.09.2022 of NCLT in Company Application No. (IB)-194(ND)/2021 in Manish Kumar Gupta &112 Ors. v. M/s Ajnara India Limited.

Sir,

I, **ABC S/o DEF** is class of financial creditor hereby submits this proof of claim in respect of the Corporate Insolvency Resolution Process in case of) **M/s Ajnara India Limited**, corporate debtor (“CD”). The details for the claim are set out below:

RELEVANT PARTICULARS	
Name of the financial creditor	ABC

Kindly note these factual matrices mentioned above is for guidance purpose only

Identification number of the financial creditor (If an incorporated body, provide identification number and proof of incorporation. If a partnership or individual, provide identification records of all the partners or the individual) PANS	Aadhar Card details		
	1	ABC	XXXXXX
	2	EFG	XXXXXXXXXX
Address and e-mail address of the financial creditor for correspondence.	Abc@gmail.com EFG@gmail.com		
Total amount of claim (in Rs.)	a	Principle Amount	1,00,00,000
	b	Amount of Interest (p.a.)	MCLR+2%
	c	Total Amount of Claims	1,80,00,000/- (Only A Representative Figure)
	<p>*CALCULATION SHEET ATTACHED AS ENCLOSURE-1 The above is being provided without prejudice to our legal rights and/or remedies under the laws of India including, but not limited to, the Indian Contract Act, 1872, the Consumer Protection Act, 1986 and the Real Estate (Regulation and Development) Act, 2016 or any other law for the time being in force. I/We further expressly reserve my rights to initiate any and/or all kinds of civil and/or criminal proceedings under any law against (Company under insolvency) or any other related person/company or entity as per my contract.</p>		
Details of documents by reference to which the debt can be substantiated	<ul style="list-style-type: none"> • Complaint filed before RERA (if applicable) • Builder Buyer Agreement/ Allotment Agreement/ Sales Agreement • The Order of UP RERA 		

Kindly note these factual matrices mentioned above is for guidance purpose only

		<ul style="list-style-type: none"> • The Payment Receipts • Loan Account Statement
	<p>Details of how and when debt incurred</p>	<ol style="list-style-type: none"> 1. In 2017, the Corporate Debtor issued advertisements, ads and indulged into marketing through hoarding and newspaper and agents that it is developing standard residential colony 2. That, the agents of the Corporate Debtor approached the Financial Creditors with offer of plots of 150 sq. yds and assured that the plot shall be developed and handed over to the Financial Creditors within 30 months with grace period of 6 months. 3. Believing on the assurances of the agents of the Corporate Debtor, the Financial Creditors agreed to purchase a plot in the project of the Corporate Debtors for constructing their only house. 4. That, on 28.09.2017 the Sale agreement / Builder buyer agreement was executed between the Corporate Debtor and Financial Creditors for allotment of plot admeasuring 150 sq. yds. 5. That, the Financial Creditor made timely and regular payment and has till date deposited a total of Rs. 1,00,00,000. The payment receipts and loan account statement are attached with this Claim. 6. That, the financial Creditor till date has not handover the possession of the allotted unit nor has refunded the total amount paid by the Financial Creditor. 7. That, by the order dated 20.09.2022 of NCLT in Company Application No. (IB)-194(ND)/2021 in Manish Kumar Gupta & 112 Ors. v. M/s Ajnara India Limited. the NCLT has directed to issue a public notice thereby inviting the claims of all the financial creditors. 8. Hence, the Financial Creditors are filing this Form-CA claiming the total amount paid by them till date along with interest. <p style="color: red; font-weight: bold;">(Kindly note these factual matrix mentioned above is for guidance purpose only)</p>

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	Details of any mutual credit, mutual debts, or other mutual dealings between the corporate debtor and the creditor which may be set-off against the claim	NO	
	Details of any security held, the value of the security, and the date it was given	NO	
	Details of the bank account to which the amount of the claim or any part thereof can be transferred pursuant to a resolution plan	Account Details	
		Name of Account Holder	xxxxxxx
		Acc/No.	xxxxxx
		IFSC	xxxxxxxxx
		Bank Name	Xxxxxxx
	Branch	xxxxxxx	
	List of documents attached to this claim in order to prove the existence and non-payment of claim due	<ul style="list-style-type: none"> Complaint filed before RERA (if applicable) Builder Buyer Agreement/ Allotment Agreement/ Sales Agreement The Order of UP RERA The Payment Receipts Loan Account Statement 	
	Name of the insolvency professional who will act as the Authorised representative of creditors of the class	<p>Mr. Satender Kumar</p> <p>Regn No. IBBI/IPA/IP-P01580/2018-2019/12429</p>	

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Signature of Financial Creditor
ABC
Position with or in relation to creditor Self
Address of Financial Creditor – zyz , sector-zxyz

DECLARATION

I, **ABC S/o DEF** currently residing at XYZ do hereby declare, and state as follows: -

1. **M/s AJNARA INDIA LIMITED** , the corporate debtor was, at the insolvency commencement date, being the, 20.09.2022 actually indebted to me for a sum of Rs. 1,80,00,000/-
2. In respect of my claim of the said sum or any part thereof, I have relied on the documents specified below:
 - Complaint filed before RERA (if applicable)
 - Builder Buyer Agreement/ Allotment Agreement/ Sales Agreement
 - The Order of UP RERA
 - The Payment Receipts
 - Loan Account Statement
3. The said documents are true, valid, and genuine to the best of my knowledge, information and belief and no material facts have been concealed therefrom.
4. In respect of the said sum or any part thereof, neither I, nor any person, by my order, to my knowledge or belief, for my use, had or received any manner of satisfaction or security whatsoever, save and except the following: [Please state details of any mutual credit, mutual debts, or other mutual dealings between the corporate debtor and the creditor which may be set-off against the claim].
5. I am / I am not a related party of the corporate debtor, as defined under section 5 (24) of the Code. 6. I am eligible to give voting instruction to the authorized representative by virtue of proviso to section 21 (2) of the Code even though I am a related party of the corporate debtor.

Date:

Place: Gautam Buddha Nagar

Signature

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VERIFICATION

I, Mr. ABC S/o EFG the claimant hereinabove, do hereby verify that the contents of this proof of claim are true and correct to my knowledge and belief and no material fact has been concealed therefrom.

Verified at:

on this ____ Day of September 2022

(Signature of claimant)

[Note: In the case of company or limited liability partnership, the declaration and verification shall be made by the director/manager/secretary/designated partner and in the case of other entities, an officer authorized for the purpose by the entity.]

Note – Amount can be calculated as per the claim sheet mentioned below. Also note this claim sheet must be sent with the claim Form - CA

CALCULATION OF CLAIM SHEET

Kindly note these factual matrices mentioned above is for guidance purpose only

OF

CLASS OF FINANCIAL CREDITOR

ABC

IN

M/s AJNARA NDIA LIMITED

HANDLED BY

Mr. Amarpal

S.NO	Date of Payment (A)	Insolvency Commencement Date (B)	Number of Days Defaulted As of 20.09.2022 (C= B-A)	Amount paid (D)	Interest Amount Calculated at MCLR+2% p.a. ($E=D*C*MCLR+2\%/365$)
1.					
2.					
3.					
4.					
5.					

1.	Total Amount Paid	
2.	Total Amount of Interest	
3.	Total Amount of Claim	

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