

Annexure 9

Name of Corporate Debtor: Aditya Vidyut Appliances Limited (AVAL) & Aditya Fabrication Private Limited (AFPL); Date of Commencement of Consolidated CIRP: 16th April, 2021; List of Creditors as on: 18th May, 2021

List of Other Creditors (Other than financial and Operational Creditors)

Sr. No	Name of the Corporate Debtor	Name of Creditor	Identification Number	Details of claims received		Details of claim admitted				Amount of contingent claim	Amount of any mutual dues, that may be set-off	Amount of claims not admitted	Amount of claim under verification	Remarks, if any.
				Date of Receipt	Amount Claimed	Amount of claim admitted	Nature of claim	Whether related Party	% of Voting Share in COC					
1	AVAL	Maharashtra State Electricity Transmission Company Limited	U40109MH2005SGC153646	27 August 2020	86,63,55,772.00	86,63,55,772.00	Unsecured	No	Not Applicable	86,63,55,772.00	No	-	-	Note 1
2	AVAL	Aditya Electricals	Not Available	07 October 2019	29,00,000.00	29,00,000.00	Unsecured	Yes	Not Applicable	-	No	-	-	
3	AVAL	Bihar State Power Transmission Company Limited	U74110BR2012SGC018889	05 April 2021	2,95,75,456.00	2,95,75,456.00	Unsecured	No	Not Applicable	2,95,75,456.00	No	-	-	Note 2
<b>Total</b>					<b>89,88,31,228.00</b>	<b>89,88,31,228.00</b>				<b>89,59,31,228.00</b>				

**Note 1:** MSETCL has submitted two claims as Operational Creditor pertaining to breach of contract. The advocate on behalf of RP on August 8, 2020 issued a reply (with further reminder sent on October 26, 2020) stating that the claim made by MSETCL is arising out of an alleged contractual breach which in itself is a civil claim for damages in the nature which necessarily has to be adjudicated by an appropriate forum/court to become an 'obligation' by the Corporate Debtor to be payable to them. Therefore, in absence of adjudication to the effect, the claim cannot be admitted as 'debt' and therefor can be admitted as a 'contingent claim' or a 'probable claim of damages' in essence being a claim subject to adjudication by a competent authority.

Therefore, claim I and claim II submitted by MSETCL has been categorized as 'other Creditors' and not under the category of 'operational creditors' subject to adjudication of the same.

Thereafter, MSETCL has served a copy of application filed with Hon'ble Tribunal against the treatment of their claim by the RP and seeking directions that their claim be considered as 'operational debt' and MSETCL be included in the list of operational creditors. The filing of such application was informed to the RP vide email dated November 25, 2020.

Hence, the final admissibility of claim shall depend upon directions of Hon'ble NCLT in this regard.

**Note 2:** BCPTCL had sent various letters and notices asking RP to ensure safety of their transformer and holding RP liable for damages in case of any loss. Appropriate replies were sent by RP and his advocate refuting any kind of liability and providing with current factory status and option to pick up their transformer at their own cost. After various communications and visits schedule delay due to Covid-19 pandemic, the officials visited factory on 26th February, 2021. Thereafter, a claim was submitted for damages caused to their transformer of an amount of Rs. 2,95,75,456/-. Similar Reply as in case of MSETCL was sent to BSPTCL.