

FORM B

PROOF OF CLAIM BY OPERATIONAL CREDITORS EXCEPT WORKMEN AND EMPLOYEES

(Under Regulation 7 of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016)

04.05.2021

To

Mr. T. Sivagurunathan]

Reg. No: IBBMPA-001/1P-P01343/2019- 2020/12524, New No. 14B/S1, 2" Floor, Dwaraka Apartments, 4th Main Road, New Colony, Chrompet, Chennai-600044

From

AESYS S.P.A. VIA ARTIGIANI N. 41 (24060) BRUSAPORTO, BERGAMO, ITALY
VAT NUMBER IT02052370166

Subject: Submission of proof of claim.

Madam/Sir,

AESYS S.P.A., hereby submits this proof of claim in respect of the corporate insolvency resolution process in the case of AESYS TECHNOLOGIES INDIA PRIVATE LIMITED. The details for the same are set out below:

PARTICULARS		
1.	NAME OF OPERATIONAL CREDITOR	AESYS S.P.A.
2.	IDENTIFICATION NUMBER OF OPERATIONAL 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)	VAT NUMBER IT02052370166
3.	ADDRESS AND EMAIL ADDRESS OF OPERATIONAL CREDITOR FOR CORRESPONDENCE	VIA ARTIGIANI N. 41 (24060) BRUSAPORTO, BERGAMO, ITALY info@aesys.com
4.	TOTAL AMOUNT OF CLAIM (INCLUDING ANY INTEREST AS AT THE INSOLVENCY COMMENCEMENT DATE)	EUR 178,939 INR 1,39,12,541/- AS AT 31.03.2019.
5.	DETAILS OF DOCUMENTS BY REFERENCE TO WHICH THE DEBT CAN BE SUBSTANTIATED.	List of Invoices Wise –Provided in Annexure 2

PARTICULARS		
6.	DETAILS OF ANY DISPUTE AS WELL AS THE RECORD OF PENDENCY OR ORDER OF SUIT OR ARBITRATION PROCEEDINGS	NO PENDENCY – NO PROCEDURE
7.	DETAILS OF HOW AND WHEN DEBT INCURRED	List of Invoices Wise –Provided in Annexure 2
8.	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	NIL
9.	<p>DETAILS OF:</p> <p>a. any security held, the value of security and its date, or</p> <p>b. any retention of title arrangement in respect of goods or properties to which the claim refers</p>	NO ONE
10.	DETAILS OF THE BANK ACCOUNT TO WHICH THE AMOUNT OF THE CLAIM OR ANY PART THEREOF CAN BE TRANSFERRED PURSUANT TO A RESOLUTION PLAN	BANCA INTESA SANPAOLO – AGENZIA DI SERIATE Via ITALIA, 44 – 24068 SERIATE (BG) ABI 03069 CAB 53510 C/C 000005260162 CIN J IBAN: IT80J0306953510000005260162 SWIFT: BCITITMM
11.	LIST OF DOCUMENTS ATTACHED TO THIS PROOF OF CLAIM IN ORDER TO PROVE THE EXISTENCE AND NON-PAYMENT OF CLAIM DUE TO THE OPERATIONAL CREDITOR	<p>ANNEXURE</p> <ol style="list-style-type: none"> 1. PURCHASE ORDER : 2. Copy of Original Invoices raised by Aesys S.P.A., ITALY - 3. Ledger Copy of AESYS TECHNOLOGIES INDIA PRIVATE LIMITED in the books of Aesys S.P.A., ITALY 4. Letter / Mail correspondence relating to this default 5. Copy of Balance Sheet as proof this due 6. Copy of Formation Documents of Aesys S.P.A., ITALY 7. Board Resolution to submit this claim form & authorise one person to sign & submit it with IRP

PARTICULARS	
	8. AADHAR CARD OF AUTHORISED REPRESENTATIVE
Signature of operational creditor or person authorised to act on his behalf [Please enclose the authority if this is being submitted on behalf of an operational creditor]	
Name in BLOCK LETTERS : MR. M.VINOTH KUMAR – AADHAR NUMBER :6524 7014 4729	
AUTHORISED SIGNATORY :	
No : 6/164, Sathya Nagar, Anuppan Kulam, Virudhunagar, -626189	

*PAN number, passport, AADHAAR Card or the identity card issued by the Election Commission of India

DECLARATION

I, Marco Biava, Director of AESYS S.P.A., currently residing at VIA ARTIGIANI N. 41 (24060) BRUSAPORTO, BERGAMO, ITALY, hereby declare and state as follows:-

1. AESYS TECHNOLOGIES INDIA PRIVATE LIMITED, the corporate debtor was, at the insolvency commencement date, being the 30th day of March 2021, actually indebted to me in the sum of EUR 178.939 .
2. In respect of my claim of the said sum or any part thereof, I have relied on the documents specified below :
List of Invoices Wise Due – Provided in Annexure 2
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 :
 - A) Transport cost and import custom declaration for led boards (Document of Transport n. 5835-R dated 08/05/2017) [ref. invoice n. 1817001320]

[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] .

Date : 04/05/2021

Place : Chennai


Marco Biava
(Signature of the claimant)

VERIFICATION

I, Marco Biava, Director of AESYS S.P.A., 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 Chennai on this 04th day of May 2021


Marco Biava
(Signature of the claimant)

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