

**Annexure – 4**

**Name of the corporate debtor:** Gwalior Bypass Project Limited; Date of commencement of CIRP: May 29, 2019; List of creditors as on: December 16, 2020

**List of unsecured financial creditors (other than financial creditors belonging to any class of creditors)**

(Amount in ₹)

Sl. No.	Name of creditor	Identification No.	Details of claim received		Details of claim admitted					Amount of contingent claim	Amount of any mutual dues, that may beset-off	Amount of claim not admitted	Amount of claim under verification	Remarks, if any
			Date of receipt	Amount claimed	Amount of claim admitted	Nature of claim	Amount covered by guarantee	Whether related party?	% of voting share in CoC					
1.	ICICI Bank	L65190GJ1994PLC021012	11 June, 2019	1,44,33,94,307	1,44,33,94,307	Financial Creditor	1,44,33,94,307	No	61.44%	NIL	NIL	NIL	NIL	
2.	Edelweiss Asset Reconstruction Company <sup>2</sup>	U67100MH2007PLC174759	June 11, 2019	4,587,862,930	-	Financial Creditor	NIL	No	No	NIL	NIL	4,587,862,930		
3..	Hyderabad Ring Road Project Private Limited	U45400DL2007PTC165824	27 June, 2019	101,78,47,123	100,90,00,000	Financial Creditor	NIL	Yes	N.A.	NIL	NIL	88,47,123	NIL	
4..	Era Infrastructure (India) Limited	U45200DL2007PLC169191	27 June, 2019	16,12,81,942	16,12,81,942	Financial Creditor	NIL	Yes	N.A.	NIL	NIL	NIL	NIL	

<sup>2</sup> Form filed by Edelweiss Asset Reconstruction Company Ltd (EARCL) as secured creditor, however categorized as unsecured creditor *inter alia* on account of : no charge creation form (CHG-1) having been filed with RoC. EARCL submitted a claim basis a corporate guarantee given by the Corporate Debtor on 3 May 2018 against a loan availed by Adel Landmarks Limited (ALL) in 2013 from ECL Finance Limited and subsequently assigned to EARCL. Such loan has been recalled by EARCL on 2 July 2018, and subsequently the corporate guarantee has been invoked on 10 July 2018. We understand that CIRP against ALL has already commenced on an application filed by EARCL, whereunder EARCL's claim against the same debt has already been admitted. Hence, in light of Hon'ble NCLAT's order in Vishnu Kumar Agarwal v. Piramal Enterprises (CA(AT)(Insolvency) No. 346 of 2018) and subsequent orders of Hon'ble NCLT and NCLAT in other cases, we have rejected the claim submitted by EARCL in the CIRP of GBPL. EARCL had filed an application with Hon'ble NCLT, Principal Bench seeking directions to the RP for admission of its claim. However, such application has been dismissed. EARCL has subsequently filed an appeal with the Honorable NCLAT, and the matter is *sub judice*. Further, RP has subsequently on the basis of transaction review audit undertaken by Grant Thornton LLP as appointed by RP, filed an application bearing number IA No. 2362/2020 with NCLT, for voiding of obligations of Corporate Debtor under the concerned corporate guarantee given to EARCL, being in the nature of potentially fraudulent transaction under S.66 of IBC.