
Submission of proof of Financial Claim of Swastik Diagnostics Pvt Ltd in liquidation of Aastha Surgimed Ltd

7 messages

Vijender Mann <advvijendermann@gmail.com>
To: Liquidator.asl@gmail.com

Mon, Apr 5, 2021 at 6:20 PM

Dear Sir

Please acknowledge the submission of proof of Claim of Swastik Diagnostics Pvt Ltd in the liquidation of Aastha Surgimed Ltd. ID Proof of director of Swastik Diagnostics Pvt Ltd has been attached.

--

Thanks & B' Regards

Vijender Mann
Advocate

487, Patiala House Courts, [Tilak Marg](#),
[New Delhi - 110001](#)
Contact: (+91) 9810017944
Email: advvijendermann@gmail.com

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Thank you.

2 attachments **Swastik Financial Claim 05.04.2021.pdf**
506K **spg aadhar card.pdf**
357K

ALOK KAUSIK <liquidator.asl@gmail.com>

Thu, Apr 8, 2021 at 7:54 PM

To: Vijender Mann <advvijendermann@gmail.com>, vijayguptaca104@yahoo.com

Dear Shri Satya Prakash Gupta,

This refers to your claim as FC submitted in the Liquidation Process of Aastha Surgimed Ltd. I have checked the claim and found following deficiencies. Kindly rectify the deficiencies and submit your claim on an urgent basis. Your claim was originally received on 04-04-2021 in the late evening and was without affidavit and unsigned. The undersigned advised to rectify the deficiencies. However, the revised claim still has multiple deficiencies as under. kindly rectify and resubmit on an urgent basis.

1. Please ensure all the pages of the claim form are signed and stamped by yourself.
2. please share the bank statements, agreements, contract copies pertaining to the loan agreement.
3. The promissory note shared by you does not have details as to how this loan amount was paid. Kindly share the proofs of payment in terms of debits in Swastik's bank statement.
4. The letter dated 13-09-2017 from Aastha Surgimed mentions the cheque for Rs 89,45,500/-. Kindly share status of the same.
5. You have attached copies of cheques dated 01-01-2017. Kindly share the relevance of these attachment and the status of the same.
6. The cheque dishonoured report, as mentioned in item number 11 of your claim form is not attached. Kindly share.
7. Is there any other case filed by yourself against the corporate debtor or directors of corporate debtor.
8. Please share all details of business relationships Swastik has with Aastha Surgimed.
9. Kindly advise why the bank account of Swastik Diagnostics and Universal Enterprises is same. Please elaborate the relationship.
10. When the agreement copy shared by you mentions loan amount as Rs 6000000/-. kindly advise reason for claiming Rs 6075000/ as the principal amount.
11. kindly share excel calculations of the claim amount.

12. Kindly share complete statement of your bank accounts showing loan disbursals and receipts.

13. You have mentioned two promissory notes but shared only one. Kindly share complete documents.

Please share all these documents/ information on an urgent basis. Liquidation Process is a time bound process. Since you had submitted your claims during the CIRP as well, it is expected that the rectified and complete claim would be filed by you without delay.

regards

Alok Kaushik
Liquidator of Aastha Surgimed Ltd
Regn No : IBBI/IPA-002/IP-N00253/2017-18/10767
Mobile : 9811470267

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ALOK KAUSIK <liquidator.asl@gmail.com>
To: Vijender Mann <advvijendermann@gmail.com>, vijayguptaca104@yahoo.com

Fri, Apr 16, 2021 at 12:44 PM

Dear Shri Satya Prakash Gupta,

Your revert is requested on an urgent basis. I met you in your office on April 9th/ 2020 for information on the business relationship with Aastha Surgimed. You had promised the responses to my queries and correcting the deficiencies in your claim within a day. However, the responses and the corrected claim documents have still not been received by me. You are requested to ensure submission of all pendencies by today.

regards

Alok Kaushik
Liquidator of Aastha Surgimed Ltd
Regn No : IBBI/IPA-002/IP-N00253/2017-18/10767
Mobile : 9811470267

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ALOK KAUSIK <liquidator.asl@gmail.com>
To: Vijender Mann <advvijendermann@gmail.com>, vijayguptaca104@yahoo.com, spgswatik@yahoo.com

Wed, May 5, 2021 at 12:12 AM

Dear Shri Satya Prakash Gupta,

A final opportunity is being provided to you for rectifying the deficiencies in your claim as a Financial Creditor in the Liquidation Process of Aastha Surgimed Ltd. I have written to you multiple times, spoke to you on your phone number 9313435465 and also met you in your office. However, the needful is still pending at your end. Kindly ensure to rectify these deficiencies, which have been explained to you earlier, by 06-05-2021. If these deficiencies are not rectified by then, your claim would be rejected in the process.

regards

Alok Kaushik
Liquidator of Aastha Surgimed Ltd
Regn No : IBBI/IPA-002/IP-N00253/2017-18/10767
Mobile : 9811470267

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MAILER-DAEMON@yahoo.com <MAILER-DAEMON@yahoo.com>
To: liquidator.asl@gmail.com

Wed, May 5, 2021 at 12:12 AM

I'm afraid I wasn't able to deliver the following message.
This is a permanent error; I've given up. Sorry it didn't work out.

Subject: Re: Submission of proof of Financial Claim of Swastik Diagnostics Pvt
Ltd in liquidation of Aastha Surgimed Ltd
To: spgswatik@yahoo.com

--- Below this line is a copy of the message.

----- Forwarded message -----

From: ALOK KAUSIK <liquidator.asl@gmail.com>
To: Vijender Mann <advvijendermann@gmail.com>, vijayguptaca104@yahoo.com, spgswatik@yahoo.com
Cc:
Bcc:
Date: Wed, 5 May 2021 00:12:24 +0530
Subject: Re: Submission of proof of Financial Claim of Swastik Diagnostics Pvt Ltd in liquidation of Aastha Surgimed Ltd
Dear Shri Satya Prakash Gupta,

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regards

Alok Kaushik
Liquidator of Aastha Surgimed Ltd
Regn No : IBBI/IPA-002/IP-N00253/2017-18/10767
Mobile : 9811470267

On Fri, Apr 16, 2021 at 12:44 PM ALOK KAUSIK <liquidator.asl@gmail.com> wrote:

Dear Shri Satya Prakash Gupta,

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regards

Alok Kaushik
Liquidator of Aastha Surgimed Ltd
Regn No : IBBI/IPA-002/IP-N00253/2017-18/10767
Mobile : 9811470267

On Thu, Apr 8, 2021 at 7:54 PM ALOK KAUSIK <liquidator.asl@gmail.com> wrote:

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Please share all these documents/ information on an urgent basis. Liquidation Process is a time bound process. Since you had submitted your claims during the CIRP as well, it is expected that the rectified and complete claim would be filed by you without delay.

regards

Alok Kaushik
Liquidator of Aastha Surgimed Ltd
Regn No : IBBI/IPA-002/IP-N00253/2017-18/10767
Mobile : 9811470267

On Mon, Apr 5, 2021 at 6:20 PM Vijender Mann <advvijendermann@gmail.com> wrote:

Dear Sir

Please acknowledge the submission of proof of Claim of Swastik Diagnostics Pvt Ltd in the liquidation of Aastha Surgimed Ltd. ID Proof of director of Swastik Diagnostics Pvt Ltd has been attached.

--
Thanks & B' Regards

Vijender Mann
Advocate

487, Patiala House Courts, [Tilak Marg](#),
[New Delhi - 110001](#)
Contact: (+91) 9810017944
Email: advvijendermann@gmail.com

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ALOK KAUSIK <liquidator.asl@gmail.com> Wed, May 5, 2021 at 12:24 AM
To: Vijender Mann <advvijendermann@gmail.com>, vijayguptaca104@yahoo.com, spgswastik@yahoo.com

Dear Shri Satya Prakash Gupta,

A final opportunity is being provided to you for rectifying the deficiencies in your claim as a Financial Creditor in the Liquidation Process of Aastha Surgimed Ltd. I have written to you multiple times, spoke to you on your phone number 9313435465 and also met you in your office. However, the needful is still pending at your end. Kindly ensure to rectify these deficiencies, which have been explained to you earlier, by 06-05-2021. If these deficiencies are not rectified by then, your claim would be rejected in the process.

regards

Alok Kaushik
Liquidator of Aastha Surgimed Ltd
Regn No : IBBI/IPA-002/IP-N00253/2017-18/10767
Mobile : 9811470267

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ALOK KAUSIK <liquidator.asl@gmail.com> Fri, May 7, 2021 at 6:11 PM
To: Vijender Mann <advvijendermann@gmail.com>, vijayguptaca104@yahoo.com, spgswastik@yahoo.com

To,

Sh Satya Prakash Gupta,
Swastik Diagnostics and Equipments Pvt Ltd

This refers to the Liquidation Process of Aastha Surgimed Ltd. The undersigned Liquidator had made a public announcement on 09-03-2021 under Regulation 12 of the IBBI(Liquidation Process) Regulations 2016 under IBC 2016 calling stakeholders of Aastha Surgimed Ltd to submit their claims by 04-04-2021. The claims submitted by you as financial creditor were found to be deficient and the deficiencies were advised to you for removal. The undersigned also spoke to you on phone for the same and visited your office as well of seeking information in the case. The reminders were sent on 08-04-2021, 16-04-2021, and 05-05-2021 again mentioning the deficiencies and another opportunity to remove these deficiencies by 06-05-2021. However, the undersigned has not received any communication from your side yet regarding removal of these deficiencies.

The Section 38 of the IBC 2016 requires the Liquidator to receive or collect the claims of creditors within a period of 30 days from Liquidation Commencement Date. The Section 39 read with Regulation 30 defines verification of claims by the Liquidator. The undersigned liquidator while verifying the claims submitted by you as financial creditor found various deficiencies in your claim. The deficiencies were advised to you and you were asked to remove those deficiencies. You were also served reminders for the same. However, even after more than 30 days of the last date of submission of claims, you have not reverted to the Liquidator with removal of these deficiencies.

The Liquidator, therefore under Section 40 rejects your claim submitted as financial creditor in the matter of Liquidation of Aastha Surgimed Ltd as the claim document has a number of deficiencies which are crucial in nature and which have not been removed by you even after multiple opportunities and extended time provided to you.

regards
Alok Kaushik
Liquidator of Aastha Surgimed Ltd
Regn No : IBBI/IPA-002/IP-N00253/2017-18/10767
Mobile : 9811470267

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Submission of Proof of Financial claim of Universal Enterprises in liquidation of Aastha Surgimed Ltd

7 messages

Vijender Mann <advvijendermann@gmail.com>
To: Liquidator.asl@gmail.com

Mon, Apr 5, 2021 at 6:18 PM

Dear Sir

Please acknowledge the submission of proof of Claim of Universal Enterprises in the liquidation of Aastha Surgimed Ltd. ID Proof of the proprietor of Universal Enterprises has been attached.

--

Thanks & B' Regards

Vijender Mann
Advocate

487, Patiala House Courts, [Tilak Marg](#),
[New Delhi - 110001](#)
Contact: (+91) 9810017944
Email: advvijendermann@gmail.com

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Thank you.

2 attachments **Universal Financial Claim 05.04.2021.pdf**
438K **spg aadhar card.pdf**
357K

ALOK KAUSIK <liquidator.asl@gmail.com>

Thu, Apr 8, 2021 at 6:57 PM

To: Vijender Mann <advvijendermann@gmail.com>, universalenterprises51@yahoo.com

Dear Shri Nisheet Bansal,

the claim submitted is still not complete. Please ensure the rectification of following deficiencies on an urgent basis :

1. Please ensure all pages of the claim are duly signed and stamped by the authorised person.
2. Proof of identification of the claimant signing the claim.
3. Authorisation letter, if signed by someone other than claimant.
4. The proofs of claim should include the relevant agreement copy clearly showing the time, duration and terms of agreement.
6. Calculations of the claim amount. please send excel file with claim calculations.
7. The undated cheques copies shared by you have been issued by Mr Hari Thakur. Kindly advise how this can be treated as a proof in your claim against Aastha Surgimed Ltd. Similarly for the promissory notes shared by you.
8. I could not locate the proofs of claim mentioned under item number 11 in your claim. Kindly elaborate.
9. Please share details of all transactions, relationships, agreements, understandings that Universal had with Aastha Surgimed Ltd.
10. Please advise if there has been any set-off of outstanding amount in any manner.
11. Any specific reason why the application was filed by Universal under Section 9 only and not Section 7 while as per your claim it has Financial as well as Operational claims against the corporate debtor.

Kindly treat the matter urgent as Liquidation Process is a time bound process.

Alok Kaushik
Liquidator of Aastha Surgimed Ltd
Regn No : IBBI/IPA-002/IP-N00253/2017-18/10767

Mobile : 9811470267

[Quoted text hidden]

ALOK KAUSIK <liquidator.asl@gmail.com>
To: Vijender Mann <advvijendermann@gmail.com>, universalenterprises51@yahoo.com

Thu, Apr 8, 2021 at 7:04 PM

In addition to the above, I note that you have submitted the affidavit only for the operational claim. Please share the affidavit for the financial claim as well urgently.

regards

Alok Kaushik
Liquidator of Aastha Surgimed Ltd
Regn No : IBBI/IPA-002/IP-N00253/2017-18/10767
Mobile : 9811470267

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ALOK KAUSIK <liquidator.asl@gmail.com>
To: Vijender Mann <advvijendermann@gmail.com>, universalenterprises51@yahoo.com

Fri, Apr 16, 2021 at 12:46 PM

Dear Sir,

the responses to my queries and the submission of your corrected claim documents is still pending as on date. Kindly ensure the pendencies and deficiencies are corrected by today and claim documents submitted to the undersigned.

regards

Alok Kaushik
Liquidator of Aastha Surgimed Ltd
Regn No : IBBI/IPA-002/IP-N00253/2017-18/10767
Mobile : 9811470267

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ALOK KAUSIK <liquidator.asl@gmail.com>
To: Vijender Mann <advvijendermann@gmail.com>, universalenterprises51@yahoo.com

Tue, Apr 27, 2021 at 10:29 PM

Dear Sir,

Please consider this email as a gentle reminder.

regards

Alok Kaushik
Liquidator of Aastha Surgimed Ltd
Regn No : IBBI/IPA-002/IP-N00253/2017-18/10767
Mobile : 9811470267

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ALOK KAUSIK <liquidator.asl@gmail.com>
To: Vijender Mann <advvijendermann@gmail.com>, universalenterprises51@yahoo.com

Wed, May 5, 2021 at 12:18 AM

Dear Mr Nisheet Bansal,

This refers to your claim filed as financial creditor in the Liquidation Process of Aastha Surgimed Ltd. You have still not rectified the deficiencies in the claim filed with the undersigned. I also spoke to you on your phone number 9811230302 about a fortnight ago and explained the deficiencies. However, the same is still pending at your end. A final opportunity is being given to you to rectify the deficiencies by 06-05-2021. If the deficiencies are not rectified fully by the end of 06-05-2021, your claim as a Financial Creditor in the matter would be rejected by the undersigned.

please treat the matter urgent.

regards

Alok Kaushik
Liquidator of Aastha Surgimed Ltd
Regn No : IBBI/IPA-002/IP-N00253/2017-18/10767
Mobile : 9811470267

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ALOK KAUSIK <liquidator.asl@gmail.com>
To: Vijender Mann <advvijendermann@gmail.com>, universalenterprises51@yahoo.com

Fri, May 7, 2021 at 6:09 PM

To,

Sh Nisheet Bansal,
Universal Enterprises

This refers to the Liquidation Process of Aastha Surgimed Ltd. The undersigned Liquidator had made a public announcement on 09-03-2021 under Regulation 12 of the IBI(Liquidation Process) Regulations 2016 under IBC 2016 calling stakeholders of Aastha Surgimed Ltd to submit their claims by 04-04-2021. The claims submitted by you as financial creditor were found to be deficient and the deficiencies were advised to you for removal. The undersigned also spoke to you on phone for the same. The reminders were sent on 08-04-2021, 16-04-2021, 27-05-2021 and 05-05-2021 again mentioning the deficiencies and another opportunity to remove these deficiencies by 06-05-2021. However, the undersigned has not received any communication from your side yet regarding removal of these deficiencies.

The Section 38 of the IBC 2016 requires the Liquidator to receive or collect the claims of creditors within a period of 30 days from Liquidation Commencement Date. The Section 39 read with Regulation 30 defines verification of claims by the Liquidator. The undersigned liquidator while verifying the claims submitted by you as financial creditor found various deficiencies in your claim. The deficiencies were advised to you and you were asked to remove those deficiencies. You were also served reminders for the same. However, even after more than 30 days of the last date of submission of claims, you have not reverted to the Liquidator with removal of these deficiencies.

The Liquidator, therefore under Section 40 rejects your claim submitted as financial creditor in the matter of Liquidation of Aastha Surgimed Ltd as the claim document has a number of deficiencies which are crucial in nature and which have not been removed by you even after multiple opportunities and extended time provided to you.

regards

Alok Kaushik
Liquidator of Aastha Surgimed Ltd
Regn No : IBI/IPA-002/IP-N00253/2017-18/10767
Mobile : 9811470267

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