

Annexure -2

Name of the Corporate Debtor : Kerala Chamber of Date of Commencement of CIRP : 21.02.2022

List of Creditors as on: 15.07.2022

List of unsecured financial creditors belonging to any class of creditors (Allottees of office and commercial space)

(Amount in Rs)

SI No.	Name of Creditor	Details of Claim received		Details of claim admitted					Amount of contingent claim	Amount of any mutual dues, that may be setoff	Amount of claim not admitted	Amount of claim under verification	Remarks,if any
		Date of receipt	Total Amount claimed	Total amount of claim admitted	Nature of Claim	Amount covered by guarantee	Whether related party?	% of voting share in CoC					
1	Dr.Asok Cheriyan	06.03.2022	1,17,88,685	58,10,285.00	Home buyers	NA	No	1.37%	NIL	NIL	59,78,400	NIL	There is a sale agreement executed on 28/07/2009 . An amount of 986800 is claimed as furnishing expenses which is not admitted. Interst @8% is admitted. Principal amount removed since NOC from Bank releasing the security interest available. Interest considered as dues.
2	R1 International	07.03.2022	2,20,00,000	2,20,00,000	Home buyers	NA	No	5.20%	NIL	NIL	0	NIL	1. There is an agreement for sale dt 19.05.2009. 2. As per arbitration award No.42 of 2016 dt 09.03.2017, the claimant is entitled to damages @12% from from 20.06.2011 till handing over of the possession. Since the it the award is in the nature of damages it cannot be considered as interest and hence considered as Other Debt. 3. Interest on award of Rs.9773500 @12% from 09.03.2017 and rent incurred by the claimant due to non completion of the commercial space Rs.6676265/- cannot be considered as financial debt and is considered as Other Debt.
3	Adv. Tom K Thomas	07.03.2022	19,09,956	0	Home buyers	NA	No	0.00%	NIL	NIL	19,09,956	NIL	There is a sale deed executed on 11.11.2014. As per arbitration award No.82 of 2018 claimant is entitled to a sum of 16650 per month from 11.11.2014 till apartment is numbered and facilities are provided. along with interest @10%. A further sum of 50000 with interest @12% is also awarded. Interest on debt calculated till 01.03.2022., interest on award not claimed in the form. Loss of rent cannot be considered as financial debt and is considered as Other debt. Interest and loss of rent cannot be allowed for the same period, hence interest claimed from 11.11.2014 to 01.03.2021 is not admitted.

4	Davidroots LLP - Arun David	08.03.2022	6,31,18,721	6,31,18,721	Home buyers	NA	No	14.93%	NIL	NIL	0	NIL	<p>1. There are three sale deeds 222/2015 dt 17.01.2015 for sale consideration Rs.18511200/-, 2223/2015 dt 17.01.2015 for sale consideration Rs.18511200/-, and 224/2015 dt 17.01.2015 for sale consideration Rs.14639400/-,</p> <p>2. Two Arbitration awards - a)AR No.78 of 2016 dt 09.03.2017 awarding loss of rent Rs.1,32,66,000, as per para 17 of the award the arbitration cost is to be suffered by all the parties, hence only 1/3rd of the arbitration cost is to be allowed even though the entire amount is claimed, and AR No 55 of 2018 dt 28.01.2020 for loss of rent Rs.3,27,19,140/- to be paid by both respondents, 12% interest p.a on award amount from 04.12.2018 and damages towards rent @ Rs.9,56,700 per month from January 2020 till building is numbered etc, as per para 12 of the award the arbitration the arbitration cost is to be shared by all the three parties equally.</p> <p>3. Interest @ 8% is allowed from date of payment till date of registration of sale deed .</p>
5	Pocker Haji	07.03.2022	88,37,768	78,61,175	Home buyers	NA	No	1.86%	NIL	NIL	9,76,593	NIL	Interest allowed @8%
6	V Narayanan Kutty	07.03.2022	1,41,76,250	1,41,33,452	Home buyers	NA	No	3.34%	NIL	NIL	42,798	NIL	<p>1. There is an agreement for sale dt 04.08.2009</p> <p>2. As per arbitration award dt 01.06.2020 the claimant is entitled to the following : a) As per para 19 , principal amount of Rs.5625000 along with simple interest @ 12% till date of realisation and Rs.250000 as cost of proceedings(Only 50% admitted in Form F).</p> <p>3. Interest till March is claimed in the form. Interest till 21.02.2022 only is admitted.</p>
7	Shibu Prabhakaran	07.03.2022	78,12,000	78,12,000	Home buyers	NA	Yes	0.00%	NIL	NIL	0	NIL	Amount appearing in books is 7797000 + TDS . Interest calculation not Submitted by the party. Interest calculated @ 8% from 31.03.2014(last date of credit) till 21.02.2022 comes to Rs.49,26,055/- .Related Party , Not considered for Voting Right
8	M U Vijayalakshmi	07.03.2022	60,64,361	60,64,361	Home buyers	NA	No	1.43%	NIL	NIL	0	NIL	<p>1. There is a sale deed No.4841/2014 dt 11.11.2014 for sale consideration of Rs.7470000/-.</p> <p>2. As per Arbitration award No.77 of 2016 dt 18.02.2017 the claimant is entitled to the following : a) as per para 26, interest @ 14% from 05.05.2016 till arrangements are made for supply of electricity, water etc, and Rs.1880000/- towards loss of utility/rent, b) as per para 28 , Rs.87450 as arbitration award and Rs.12500 towards secretarial allowance(total 99950).</p> <p>3. The arbitration cost is taken as principal amount.</p> <p>4. In respect of loss of utility/rent Rs.188000/-, the claimant is considered as Other creditor.</p>
9	M K Ali Koya	08.03.2022	2,17,47,758	-	Home buyers	NA	No	0.00%	NIL	NIL	2,17,47,758	NIL	Please refer arbitration award clause no 16 regarding interest.
10	Lalu Samuel	08.03.2022	11,59,83,096	11,59,83,096	Home buyers	NA	No	27.43%	NIL	NIL	0	NIL	There is a sale agreement dt 07.04.2011. Interest admitted is @8% from 23.06.2018 till 21.02.2022. Principal amount shown in the books is 6,53,50,000/-. The claimant is entitled to interest @12% as per the agreement which comes to Rs.642,41,420/-

11	Soudha Shoukath Ali	08.03.2022	91,31,006	86,74,521	Home buyers	NA	No	2.05%	NIL	NIL	4,56,485	NIL	There is no agreeent or sale deed executed. Receipts for the payment of principal amount is available. Interest admitted is @ 8 %.
12	S Sanakan	16.03.2022	98,00,000	82,22,959	Home buyers	NA	No	1.94%	NIL	NIL	15,77,041	NIL	There is an agreement for sale dt 12.08.2009. There is no proof of payment for Rs. 8,00,000/-. The amount as per books is only Rs.30,00,000/- as on 31.03.2018.
13	Maj. P M Mathews	17.03.2022	1,82,26,597	1,13,78,488	Home buyers	NA	No	2.69%	NIL	NIL	68,48,110	NIL	There is a agreement for sale dt 08.09.2010. Interest claimed @ 18% for which no basis is found therefore interest allowed @ 8%.
14	Xavi Mano Mathew	24.03.2022	15,00,000	10,00,000	Home buyers	NA	No	0.24%	NIL	NIL	5,00,000	NIL	There is no agreeent or sale deed executed. Rs.5,00,000/- payment made to Cherupushpam Films Pvt Ltd hence not admitted here. Interest not calculated in the claim form hence not considered.
15	Thomas Mattathil and Marykutty Mattathil	06.04.2022	1,98,41,300	1,46,41,604	Home buyers	NA	No	3.46%	NIL	NIL	51,99,696	NIL	There is a sale deed executed on 18.12.2014 . Arbitration award No.83 of 2016 - Damages Rs.4,70,000 admitted as Other creditor. . Interest admitted @8% p.a. Amount as per books Rs.86,94,300 and receipts add up to Rs.86,94,300 however the sale consideration is Rs.83,94,300.
16	Jim Jose	19.03.2022	45,60,000	45,58,751	Home buyers	NA	No	1.08%	NIL	NIL	1,249	NIL	There is a sale agreement dt 28.08.2009. Interest allowed @ 8%
17	Dr.Annamma Cheriyan	16.06.2022	1,40,29,750	41,55,876	Home buyers	NA	No	0.98%	NIL	NIL	98,73,874	NIL	The sale deed executed on 13.01.2015 for 73,04,000/- and already paid the same.The claimant claimed interest on this amount @12% and admitted only @8% pa. There is no document substantiating the damages. So damages not admitted. The claim on loss of rent is not considered.
18	Sebastian George	23.04.2022	40,00,000	25,98,740	Home buyers	NA	No	0.61%	NIL	NIL	14,01,260	NIL	The agreement for purchase of apartment dtd 07-03-2009 is cancelled vide letter dtd 05-06-2014.As per arbitration case No. 60 of 2015, the following has been awarded and therefore considered in the claims admitted. 1. Rs. 15L to be refunded to the petitioner for cancellation of agreement due to breach of contract by first petitioner; 2. 12% interest pa from 16 Jan 2016 upto start date of CIRP (21 Feb 2022). 3. Rs. 75,000 being half of the fees and expenses of the arbitrator, it is considered as other creditor.
TOTAL			35,45,27,248	29,80,14,027				68.63%			5,65,13,221		