

FORM D
PROOF OF CLAIM BY FINANCIAL CREDITORS

(Under Regulation 18 of the Insolvency and Bankruptcy Board of India (Liquidation Process) Regulations, 2016)

27.04.2022

To,
CMA Laxman D Pawar
Liquidator, Pandhari Milk Pvt. Ltd.
16, Bhakti Complex, First Floor, Mumbai Pune Road,
Behind Dr Ambedkar Statue., Pimpri, Pune - 411018.

From,
Hero Fincorp Ltd.
Registered Office: 34, Community Centre, Basant Lok, Vasant Vihar, New Delhi-110057.
Corporate Office: 9, Community Centre, Basant Lok, Vasant Vihar, New Delhi-110057.

Subject: Submission of claim and proof of claim in respect of the liquidation of Pandhari Milk Pvt. Ltd. under the Insolvency and Bankruptcy Code, 2016.

Sir,
Hero Fincorp Limited, hereby submits this claim in respect of the liquidation of Pandhari Milk Pvt. Ltd. The details for the same are set out below:

Relevant Particulars	
1. Name of the financial creditor	HERO FINCORP LIMITED (CIN: U25209DL2006PLC154715)
2. Address and email address of the financial creditor for correspondence	ADDRESS: 9, Community Centre, Basant Lok, Vasant Vihar New Delhi – 110057 Email(s): arjit.pratapsingh@herofincorp.com sonpal.singh@herofincorp.com kuljeet.singh@herofincorp.com litigation@herofincorp.com
3. Total amount of claim, including any interest, as at the liquidation commencement date and details of nature of claim (whether term loan, secured, unsecured)	₹ 4,04,05,565 (Rupees Four Crore Four Lakh Five Thousand Five Hundred Sixty-Five Only) – Working Capital Term Loan Facility
4. Details of documents by reference to which the debt can be substantiated	WORKING CAPITAL TERM LOAN FACILITY - Sanction letter dated 29.03.2019 - Facility Agreement dated 29.03.2019 - Addendum agreement dated 29.03.2019 - Deed of guarantee dated 29.03.2019 - FORECLOSURE STATEMENT AS ON 15.03.2022 AND STATEMENT OF ACCOUNTS.

Hero FinCorp Ltd.

Registered Office : 34, Community Centre, Basant Lok, Vasant Vihar, New Delhi, 110057 - INDIA
Corporate Office: 09, Basant Lok, Vasant Vihar, New Delhi - 110057 INDIA
Phones: +91-11-49487150; Fax: +91-11 - 49487197 + 91-11- 49487198
Email:- info.hfcl@herofincorp.com Website: www.herofincorp.com CIN:U74899DL1991PLC046774

HFCL_146249



SCHEDULE II

FORM D

PROOF OF CLAIM BY FINANCIAL CREDITORS

(Under Regulation 18 of the Insolvency and Bankruptcy Board of India (Liquidation Process) Regulations, 2016)

18.05.2022

To,

The Liquidator

Laxman Digambar Pawar

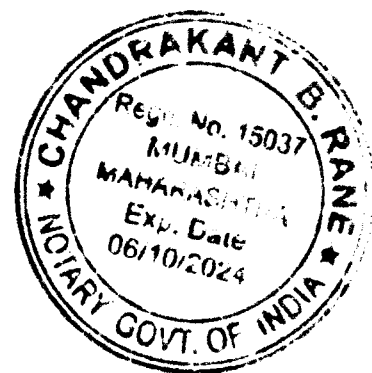
Flat no 16, 1st Floor, *Bhakti Complex*

Behind Dr. Ambedkar statue, Pimpri,

Pune - 411018

Email: cmapawar1@gmail.com

IBBI Registration No.: IBBI/ IPA-003/IP-N00015/2017-18/10104



From

Bank of Maharashtra

Stressed Assets Management branch

"Janmangal" 4th floor,

45/47, Mumbai Samachar Marg

Fort, Mumbai- 400 001

Email: bom1447@mahabank.co.in

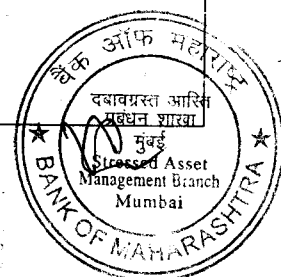
brmgr1447@mahabank.co.in

Subject: Submission of proof of claim in respect of liquidation of **Pandhari Milk Pvt Limited** under the Insolvency and Bankruptcy Code, 2016.

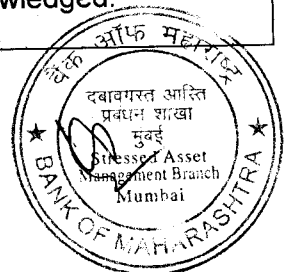
Madam/Sir,

Bank of Maharashtra, hereby submits this proof of claim in respect of liquidation of **Pandhari Milk Pvt Limited**. The details for the same are set out below:

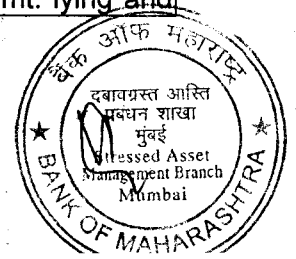
1.	Name of the financial creditor (If an incorporated body provide identification number and proof of incorporation, if partnership or individual provide identification records* of all the partners or the individual)	Bank Of Maharashtra, having Head Office at Lokmangal,1501,Shivajinagar,Pune-5 A Government of India Undertaking, a body Corporate constituted under the Banking Companies (Acquisition and Transfer of Undertakings) Act,1970
2.	Address and email address of the financial creditor for correspondence	Bank of Maharashtra Stressed Asset Management Branch "Janmangal" 4 th floor, 45/47, Mumbai Samachar Marg




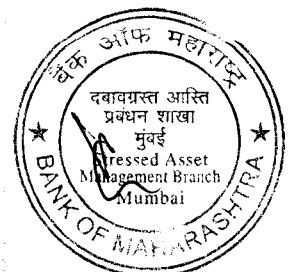
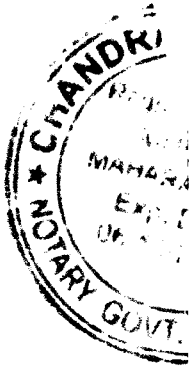
		Fort, Mumbai- 400 001 Email: bom1447@mahabank.co.in brmgr1447@mahabank.co.in
3.	Total amount of claim (including any interest as at the liquidation commencement date and details of nature of claim (whether term loan , secured, unsecured)	Claim as on 15.03.2022 is Rs 65,33,06,010.00 (Rs. Sixty Five Crores Thirty Three Lacs Six Thousand and Ten only) Details as follows: Cash Credit – 60303141678 Ledger Balance:151275936 Interest:56084355 Penal Interest:9904378 Total:217264669 Term Loan – 60241357324 Ledger Balance:297353319 Interest:118552589 Penal Interest:20135433 Total:436041341
4.	Details of documents by reference to which the debt can be substantiated	The debt is substantiated by the documents mentioned as follows: For Facility No 1 Term Loan of Rs. 32.00 crores (A/c no 60241357324) 1. Request for making credit facility RF 45 dated 29.12.2015. 2. Demand Promissory Note RF 46/47 dated 29.12.2015. 3. Hypothecation deed RF 66J dated 29.12.2015. 4. Guarantee Deed F 154A dated 29.12.2015. 5. Registered Mortgage deed dated 02.02.2016. 6. Registered Mortgage deed dated 03.02.2018. 7. Correction of Registered Mortgage deed dated 15.02.2018. 8. Sanction letter duly acknowledged. For Facility No 2 Cash Credit Limit of Rs. 15.00 crores (A/c no 60303141678) 1. Request for making credit facility RF 45 dated 25.01.2018. 2. Demand Promissory Note RF 46/47 dated 25.01.2018. 3. Hypothecation deed RF 66J dated 31.01.2018. 4. Guarantee Deed F 154A dated 25.01.2018. 5. Registered Mortgage deed dated 03.02.2018. 6. Correction of Registered Mortgage deed dated 15.02.2018. 7. Sanction letter duly acknowledged.



5.	Details of any order of a court of tribunal that has adjudicated on the non-payment of debt	No. DRT suit is filed however no order is passed as yet as matter
6.	Details of how and when debt incurred	Company was granted Term Loan of Rs 32 crores on 11.08.2015 for setting up of plant and machinery for milk processing plant. Further, company was granted Cash credit limit of Rs 15 crores on 10.01.2018.
7.	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
8.	Details of any security held, the value of the security, and the date it was given	As mentioned below
<p><u>Primary Security</u></p> <p>i) Hypothecation of Plant, Machinery, Inventory and Receivables.</p> <p>ii) Regd. Mortgage of Land bearing Gat No.553, Hissa No.1 having total admeasuring area 06 H 80 R out of that admeasuring 01 H 20 R (which is the subject property of mortgage deed) and Building constructed thereon lying and situated at Gonewadi, Tal.- Mangalvedha, Dist.-Solapur, owned by M/s. Pandhari Milk Pvt. Ltd.</p> <p><u>Collateral security</u></p> <ol style="list-style-type: none"> 1. Regd. Mortgage of residential NA land bearing Gat No. 177, Plot Nos.1 to 41 & 60 to 65 having total admeasuring area 6584.66 sq. mt. lying & situated at Sindhphal, Tal-Tuljapur, Dist.- Osmanabad, owned by Mr. Satish D. Chavan. 2. Regd. Mortgage of residential NA land bearing Gat No.177, Plot Nos. 66 to 130 having total admeasuring area 7417.90 sq. mt, lying and situated at Sindhphal, Tal-Tuljapur, Dist. Osmanabad, owned by Mr. Satish D. Chavan. 3. Regd. Mortgage of residential NA land bearing Gat No.177, Plot Nos. 49 to 59, 181 to 217 and 224 to 241 having total admeasuring area 8366.88 sq. mt. lying and situated at Sindhphal, Tal- Tuljapur, Dist-Osmanabad, owned by M/s. Pandhari Milk Pvt. Ltd 4. Regd. Mortgage of residential NA land Gat No.177, Plot Nos. 42 to 48, 131 to 156, 157 to 180 & 218 to 223 having total admeasuring area 7752.62 sq. mt, lying and situated at Sindhphal, Tal-Tuljapur, Dist-Osmanabad, owned by M/s. Pandhari Milk Pvt. Ltd 5. Regd. Mortgage of residential NA land bearing Gat No. 47/1, Plot Nos. 1 to 13, 16 to 19 and 22 to 56 having total admeasuring area 9615.24 sq. mt. lying and situated at Telarnagar, Tal-Tuljapur, Dist-Osmanabad, owned by M/s. Pandhari Milk Pvt Ltd. 6. Regd. Mortgage of residential NA land bearing Gat No.178, Plot Nos. 4 to 40, 44 to 54 and 57 to 94 having total admeasuring area 15383.34 sq. mt. lying and 		



	situated at Sindhaphal, Tal-Tuljapur, Dist-Osmanabad, owned by Mr. Manesh Dhondiram Chavan.	
	7. Regd. Mortgage of residential NA land bearing Gat No. 177, Plot Nos. 1 to 75 having total admeasuring area 11771.58 sq. mt. lying and situated at Sindhaphal, Tal-Tuljapur, Dist-Osmanabad, owned by Mr. Manesh Dhondiram Chavan.	
	8. Regd. Mortgage of residential NA land bearing Gat No.177, Plot Nos. 1 to 62 having total admeasuring area 11472.33 sq. mt. lying and situated at Sindhaphal, Tal-Tuljapur, Dist- Osmanabad, owned by Mr. Manesh Dhondiram Chavan.	
8A	Whether Security Interest relinquished	No
9	Details of any assignment or transfer of debt in his favour	No
10	Details of the bank account to which the Financial Creditor's share of the proceeds of liquidation can be transferred	Account No.: 60325047987 Bank Name: Bank of Maharashtra Account Name: SAM Branch IFSC Code: MAHB0001447 Branch Address: Bank of Maharashtra Stressed Asset Management Branch "Janmangal" 4 th floor, 45/47, Mumbai Samachar Marg Fort, Mumbai- 400 001
11	List out and attach the documents relied on in support of the claim	As mentioned at Point no 5 For Bank of Maharashtra
	<p style="text-align: center;">  प्राधिकृत अधिकारी एवं मुख्य प्रबंधक Authorised Officer and Chief Manager दबावग्रस्त आस्ति प्रबंधन शाखा Stressed Asset Management Branch मुंबई अंचल / Mumbai Zone </p> <p>(Signature of financial creditor or person authorised to act on his behalf) [Please enclose the authority if this is being submitted on behalf of the financial creditor]</p>	
	Mr. Umesh Kumar	
	Position with or in relation to creditor-Chief Manager	
	Address of person signing- Stressed Asset Management Branch, Bank of Maharashtra, "Janmangal" 4 th floor,45/47, Mumbai Samachar Marg, Fort, Mumbai- 400 001	



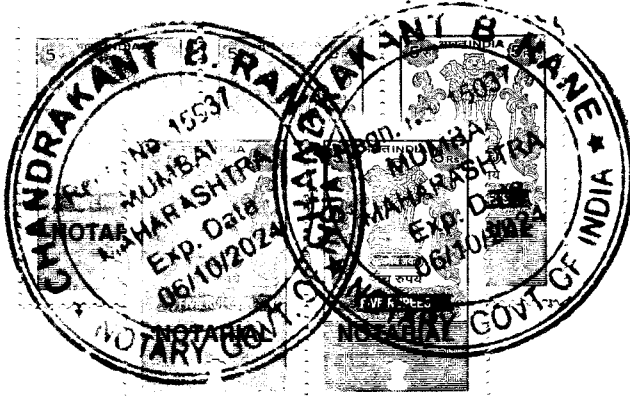
AFFIDAVIT


I, Umesh Kumar, Chief Manager, Stressed Asset Management Branch, Bank of Maharashtra, "Janmangal" 4th floor, 45/47, Mumbai Samachar Marg, Fort, Mumbai- 400001, do solemnly affirm and state as follows:-

The above named corporate debtor was, at the liquidation commencement date, that is 15th day of March 2022, and still is, justly and truly indebted to me in the sum of Rs 65,33,06,010.00 (Rs. Sixty Five Crores Thirty Three Lacs Six Thousand and Ten only)

1. In respect of my claim of the said sum or any part thereof, I have relied on the documents specified as per Point no 11.
2. The said documents are true, valid and genuine to the best of my knowledge, information and belief.
3. In respect of the said sum or any part thereof, I have not, nor have my partners or any of them, nor has any person, by my/our order, to my/our knowledge or belief, for my/our use, had or received any manner of satisfaction or security whatsoever, save and except the following: NIL

Solemnly, affirmed at Mumbai on Thursday, the 18th day of May, 2022

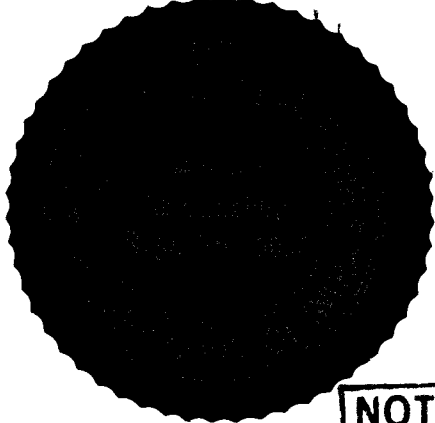



Deponent's Signature

VERIFICATION

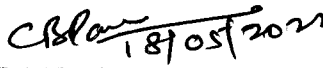
I, the Deponent hereinabove, do hereby verify and affirm that the contents of para 1 to 4 of this affidavit are true and correct to my knowledge and belief. Nothing is false and nothing material has been concealed therefrom.

Verified at Mumbai on this 18th day of May, 2022




Deponent's Signature
BEFORE ME

NOTED & REGISTERED
Sr. No 2371 Pg No 64
Date 18/05/2022


CHANDRAKANT B. RANE
Regn. No. 15037 B.Com., LL.B.
NOTARY GOVT. OF INDIA
222/8675
Nurses Welfare Co-op. Housing Society Ltd.,
B Wing, Kannamwar Nagar No. 1, Vikhroli (E),
Mumbai - 400 083,
Exp. Dt. 06/10/2024