

## ANNEXURE A-3<sup>29</sup>

### List of Creditors under Regulation 13 of the IBB1 (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 for Harvest Hotels and Serviced Apartments Private Limited as on October 28, 2022

Harvest Hotels and Serviced Apartments Private Limited (“Corporate Debtor”) has been admitted into corporate insolvency resolution process (“CIRP”) under the provisions of the Insolvency and Bankruptcy Code, 2016 (“IBC”) vide order dated October 07, 2022 of the Hon’ble Adjudicating Authority (National Company Law Tribunal, Principal Bench, New Delhi) and the undersigned has been appointed as the Interim Resolution Professional (“IRP”) of the Corporate Debtor.

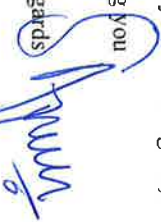
In accordance with Regulation 13 of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 (“CIRP Regulations”), the IRP hereby encloses the List of Creditors (including Financial, Operational, Workmen & Employees and Other Creditors) of the Corporate Debtor, as Annexure 1.

The enclosed List of Creditors has been prepared basis the claims received and collated up-till October 28, 2022 pursuant to the Public Announcement dated October 10, 2022 made by the IRP in accordance with the provisions of the IBC and the CIRP Regulations.

It is pertinent to note that the enclosed List of Creditors is subject to revision/ substantiation/ modification on the basis of any additional claims/ information/ evidence/ clarification which may be received subsequently and/ or further verification process by the undersigned, which may warrant such revision/ substantiation/ modification as the case may be.

Thanking you

Kind Regards

  
Shalendra Ajmera

Interim Resolution Professional

Shalendra Ajmera has been granted a certificate of registration to act as an Insolvency Professional by the Insolvency & Bankruptcy Board of India and has been appointed as the Interim Resolution Professional of Harvest Hotels and Serviced Apartments Private Limited by the Hon’ble National Company Law Tribunal vide Order dated October 07, 2022

IP Registration No. IBB1/IPA-001/IP-P00304/2017-2018/10568

Registered address: Ernst & Young LLP, 3rd Floor, Worldmark 1, Aerocity Hospitality, New Delhi, National Capital Territory of Delhi, 110037

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ANNEXURE 1List of Financial Creditors

| S. No | Particulars                                  | Claim amount per Form C | Amount admitted | Under verification |
|-------|--|-------------------------|-----------------|--------------------|
| 1.    | Asset Reconstruction Company (India) Limited | 2,09,20,08,456          | 2,08,05,92,994  | 1,14,15,462        |
| 2.    | Kaveri Gupta                                 | 1,65,49,411             | NIL             | 1,65,49,411        |
| 3.    | Nishant Gupta                                | 1,43,90,044             | NIL             | 1,43,90,044        |
| 4.    | Rajat Gupta                                  | 1,43,90,044             | NIL             | 1,43,90,044        |
| 5.    | Rajiv Gupta                                  | 1,43,90,044             | NIL             | 1,43,90,044        |
| 6.    | Rajiv Gupta                                  | 1,37,47,751             | NIL             | 1,37,47,751        |
| 7.    | Rajiv Gupta                                  | 1,65,49,411             | NIL             | 1,65,49,411        |
| 8.    | Renu Gupta                                   | 1,57,53,040             | NIL             | 1,57,53,040        |
| 9.    | Renu Gupta                                   | 1,65,49,411             | NIL             | 1,65,49,411        |
| 10.   | Smriti Gupta                                 | 1,65,49,411             | NIL             | 1,65,49,411        |

Notes

- CIRP Commencement Date is October 07, 2022
- The claims admitted, if any, are based upon verification of proof of claims and are subject to change.
- Claims admitted, if any, are subject to revision/ substantiation/ modification on the basis of any additional information/ evidence/ clarification/ revised claim being received.
- Amounts under verification relate to those claims/ components of claims for which verification is pending. A communication has been sent to the respective claimants seeking additional information/ clarifications, subsequent to which their claim will be verified further.
- Creditors at S. No 2 to 10 have been included under the "List of Financial Creditors" solely basis the fact that their claim forms have been received in Form C and the same does not amount to their classification and/ or admission as a financial creditor.
- The aforesaid claim(s) have been admitted basis verification of information/ documents provided by the respective claimants.

List of Operational Creditors except Workmen and Employees

| S. No | Particulars   | Claim amount per Form B | Amount admitted | Under verification |
|-------|---|-------------------------|-----------------|--------------------|
| 1.    | Anuj Kalra and on behalf of Mr. Arun Kalra, Aakriti Kalra and Komal Kalra | 8,17,12,273             | -               | 8,17,12,273        |

Notes

- CIRP Commencement Date is October 07, 2022
- Claim at S.No.1 has been received on October 28, 2022 and hence the same is still pending verification.

No Claim has been received from Workmen/Employees/ Statutory Authorities/ Other Creditors of the Corporate Debtors till date. In the event any other claim is received / status of claims undergoes a change, the list of creditors will be duly updated.



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**Details of Security Interest of Asset Reconstruction Company (India) Limited**

- a) First pari passu charge on the property bearing Survey No. 95/2 situated in Bellandur-Village, Varthur Hobli, Bangalore East Taluk, measuring about 36,555.30 square feet together with all building and structures thereon and to be thereon (Excluding UnitType A6, Flat No. 301 and Unit Type B4, Flat No. 302) including land, machinery, furniture and fixtures vide vasika No. BNG(U)/VRT-4586/2011 12 dated 20<sup>th</sup> August, 2011 registered in the sub-registrar office, Varthur.
- b) First pari passu charge on entire fixed assets, moveable and immovable, present and future including equitable mortgage of the land, building and the Project.
- c) Exclusive hypothecation charge of Allahabad Bank for its Working Capital Limits on entire current assets of the Company, both present and future;
- d) Counter Guarantee in favour of Allahabad Bank for its Bank Guarantee Limits
- e) The Escrow Account and all rights, title, interest, benefit, claims and demands whatsoever in, to, under and in respect of such account or any replacement thereof, including all monies, securities, instruments, investments and other properties deposited in, credited to and/or required to be deposited in or credited to or lying to the credit of such account or liable to be credited to such account
- f) All rights, title, interest, benefit, claims and demands whatsoever of the, both present and future, in:
  - i. all rights, titles, benefits and claims that accrue to the Borrower from the Project
  - ii. the Project Documents executed by the Borrower, each as amended, varied or supplemented from time to time, and all assignments and concessions thereunder;
  - iii. all Clearances, licenses, permits, approvals and consents obtained by the Borrower in relation to the Project;
  - iv. all contracts executed by the Borrower or persons duly authorised by him, in relation to the Project, each as amended, varied or supplemented from time to time, and all assignments and concessions thereunder;
- g) Pledge of 21,43,280 number of shares executed vide pledge agreement dated 13 March, 2020.

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# ANNEXURE<sup>32</sup>A-4

## Report Certifying Constitution of Committee of Creditors of Harvest Hotels and Serviced Apartments Private Limited (in CIRP) as on October 28, 2022

Harvest Hotels and Serviced Apartments Private Limited ("Corporate Debtor") has been admitted into corporate insolvency resolution process ("CIRP") under the provisions of the Insolvency and Bankruptcy Code, 2016 ("IBC") vide order dated October 07, 2022 of the Hon'ble Adjudicating Authority (National Company Law Tribunal, Principal Bench, New Delhi) and the undersigned has been appointed as the Interim Resolution Professional ("IRP") of the Corporate Debtor.

In accordance with Section 21(1) of the IBC and Regulation 17(1) of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 (CIRP Regulations), the IRP hereby certifies that the Committee of Creditors ("CoC") of the Corporate Debtor is constituted as on October 28, 2022 basis the claims received and collated up-till October 28, 2022 pursuant to the Public Announcement dated October 10, 2022 made by the IRP.

The following creditor, being financial creditor of the Corporate Debtor constitutes the CoC of the Corporate Debtor as per the provisions of the IBC and the CIRP Regulations:

### 1. Asset Reconstruction Company (India) Limited

It may be noted that the aforesaid composition of the CoC may undergo change basis any additional claims/information/ evidence/ clarification and/ or further verification process by the undersigned.

Thanking you!

Kind Regards

Shailendra Ajmera

Interim Resolution Professional

Shailendra Ajmera has been granted a certificate of registration to act as an Insolvency Professional by the Insolvency & Bankruptcy Board of India and has been appointed as the Interim Resolution Professional of Harvest Hotels and Serviced Apartments Private Limited by the Hon'ble National Company Law Tribunal vide Order dated October 07, 2022

IP Registration No. IBB/IPA-001/IP-P00304/2017-2018/10568

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