

**Annexure – 3**

**Name of the corporate debtor: Indo Global Soft Solutions And Technologies Private Limited; Date of commencement of CIRP: 12<sup>th</sup> April 2022; List of creditors as on: 17th August 2023**

**List of secured financial creditors (other than financial creditors belonging to any class of creditors)<sup>#</sup>**

(Amount in ₹)

Sl. No.	Name of creditor	Details of claim received		Details of claim admitted						Amount of contingent claim	Amount of any mutual dues, that may be set-off	Amount of claim not admitted	Amount of claim under verification	Remark, if any
		Date of receipt	Amount claimed	Amount of claim admitted	Nature of claim	Amount covered by security Interest <sup>1</sup>	Amount covered by guarantee	Whether related party?	% Voting share in CoC					
1	Union Bank of India	May 04, 2022	1,738,568,031	1,724,612,739	Secured	1,724,612,739	1,724,612,739 <sup>1</sup>	No	20%	-	-	13,955,292	-	-
2	J.C. Flowers Asset Reconstruction Private Limited <sup>3</sup>	May 04, 2022	2,671,533,663	2,671,533,663	Secured <sup>4</sup>	2,671,533,663	2,671,533,663 <sup>1</sup>	No	31%	-	-	-	-	-
3	ICICI Bank Limited	May 25, 2022	1,993,625,978	1 <sup>2</sup>	Secured	1 <sup>2</sup>	1 <sup>2</sup>	No	-	1,993,625,978	-	-	-	-
	<b>Total</b>		<b>6,40,37,27,672</b>	<b>4,39,61,46,403</b>		<b>4,39,61,46,403</b>	<b>4,39,61,46,403</b>		<b>51%</b>	<b>1,993,625,978</b>	<b>-</b>	<b>13,955,292</b>	<b>-</b>	<b>-</b>

<sup>1</sup> Please note that guarantees provided in this case secure all of the outstanding amounts

<sup>2</sup> In terms of the order dated August 02, 2023 passed by the NCLT, Mumbai in I.A. No. 2288 of 2023 filed by Union Bank of India, the RP was directed to admit the claim of ICICI Bank Limited (“ICICI”) to the extent it is verifiable from the books of accounts taking into effect of Deed of Cancellation dated February 23, 2022 entered into between the CD and Rohan Developers Private Limited (“RDPL”) (“DOC”), till such DOC is held to be a void document under the Code or any other statute. The RP examined the relevant records/ documents of the CD (to the extent available) as well as the DOC and also sought additional information from ICICI for assistance in evaluation of its claim. However, no information has been provided by ICICI. As per the available records of the CD and considering the effect of the DOC, the outstanding amount of the credit facility granted by ICICI to the CD stands taken over completely by RDPL as on the date of the DOC. Further, the DOC is subject matter of the avoidance application filed by the RP before the NCLT, Mumbai and the validity of the same would be governed by the outcome of the said avoidance application. Accordingly, the RP has proceeded to admit the claim of ICICI at Re. 1/- (subject to the outcome of the avoidance application).

<sup>3</sup> As per the letter dated January 02, 2023 which was received via an email dated Jan 4, 2023 from J.C. Flowers Asset Reconstruction Private Limited (“JCF”) (“JCF Intimation”) as well as a letter dated December 30, 2022 which was received via an email dated Jan 5, 2023 from Yes Bank Limited (“YBL”) (“YBL Intimation”), it has been informed inter alia to RP that pursuant to the execution of an assignment agreement dated December 16, 2022 (“Assignment Agreement”) between JCF and YBL, YBL has assigned and transferred its Loan along with security interest in favour of JCF. Pursuant to the Assignment Agreement, JCF has become the lender in place of YBL.

<sup>4</sup> A Deed of Settlement dated March 31, 2021 (“DOS”) for terminating the Development Management Agreement dated June 30, 2017, executed between the CD and Neelkamal Realtors Tower Private Limited (NRTPL) (“DMA”) was shared with the Resolution Professional by NRTPL on November 23, 2022. In terms of the DOS, the CD shall not have any right, entitlement or claim in any manner whatsoever including the loans, advances, fee etc. pertaining to the One Mahalaxmi project. However, the CD shall be liable for settlement and/or repayment of all loans, which it had procured pursuant to the terms of the DMA. In terms of the claim form and supporting documents submitted by JCF ARC in the CIRP of the CD, the loan facilities extended by JCF ARC (assignee of Yes Bank Limited) to the CD are secured by way of an exclusive charge on deposits/contractual receivables and cashflows pertaining to Development Manager Contracts/ Project Management Contracts for inter alia the "One Mahalaxmi" project. The issue with respect to the DOS is sub-judice before the NCLT, Mumbai as part of the avoidance application filed by the Resolution Professional ("Avoidance Application"). Accordingly, in view of the Avoidance Application being sub-judice and pursuant to the order dated August 02, 2023 passed by the NCLT, Mumbai in I.A. No. 2288 of 2023, the classification of JCF ARC as a secured/ unsecured creditor, would be governed by the outcome of the Avoidance Application.

<sup>#</sup> The updation is pursuant to and to the extent as directed in the order dated August 02, 2023 passed by the NCLT, Mumbai in IA No.2288 of 2023 in CP (IB) No.377/ 2021