

List of Stakeholders of Pinky Shipyard Private Limited (in Liquidation) (modified)

List of Stakeholders for claims as on Liquidation Commencement Date: December 13, 2019

Modified on August 17, 2023

FINANCIAL CREDITORS - FORM D RECEIVED														
Sr. no.	Details of the Stakeholders			Date of Claim	Amount Of Claim Received (Rs.)			Amount Of Claim Admitted (Rs.)			Whether Security Interest Relinquished	Details of Security Interest		
	Name	Address	Email Id		Claimant (Secured/unsecured/contingent)	Principal (a)	Interest (b)	Total (a+b)	Principal (a)	Interest (b)			Total (a+b)	Proofs Admitted or Rejected in Part, and the Proofs Wholly Rejected
A.	Financial Creditors													
1	Punjab National Bank (Refer Note - 1)	Ilaco House, Sir PM Road, Fort, Mumbai-400001	ho0061@pnb.co.in	Secured	03-01-2020	4,80,79,31,515.00	5,32,21,10,673.00	10,13,00,42,188.00	4,80,79,31,515.00	5,32,21,10,673.00	10,13,00,42,188.00	Fully admitted	Yes	Annexure I
2	Edelweiss Asset Reconstruction Company Ltd.	Edelweiss House Off CST Road Kalina, Mumbai-400098	girish.parmar@edelweissfn.com	Secured	10-01-2020	69,12,60,55,925.59	56,38,67,10,606.51	1,25,51,27,66,532.10	69,12,60,55,925.29	56,38,67,10,606.51	1,25,51,27,66,531.80	Fully admitted	Yes	Annexure I
3	Canara Bank Limited (Refer Note - 2)	Canara Bank, Large Corporate Branch, 14th Floor, 'E' Wing, Maker Tower, Cuffe Parade, Mumbai - 400005	cb2630@canarabank.com viyavakumar@canarabank.com deepak Kapoor@canarabank.com rakeshkumarjain@canarabank.com neelushukla@canarabank.com	Secured	28-08-2020	2,78,20,99,330.00	8,90,81,81,602.00	11,69,02,80,932.00	Nil	Nil	Nil	Not Admitted	N.A.	N.A.
4	Bank of Baroda (Refer Note - 3)	Bank of Baroda, Mumbai Stresses Asset Branch, 1st Floor, 17/B Horniman Circle Fort, Mumbai - 400 001	sammum@bankofbaroda.com	Secured	06-01-2021	80,41,17,400.00	1,63,24,25,849.00	2,43,65,43,249.00	80,41,17,400.00	1,63,24,25,849.00	2,43,65,43,249.00	Fully admitted	Yes	Annexure I
	TOTAL (A)					77,52,02,04,170.59	72,24,94,28,730.51	1,49,76,96,32,901.10	74,73,81,04,840.29	63,34,12,47,128.51	1,38,07,93,51,968.80	-		

Notes

1 The Punjab National Bank ("PNB"), one of the secured creditors of Corporate Debtor on January 03, 2020 had submitted its claim of Rs. 10,13,00,42,188/- in Form D. At the time of submission of Form D, PNB had elected not to relinquish its security interest held in the assets of Corporate Debtor (as noted in column 8A of the Form D). The PNB had vide email dated August 03, 2020 informed that in the interest of a smooth liquidation process, PNB is relinquishing the security interest to the liquidation estate. To give effect to the above, the Liquidator filed an application before Hon'ble NCLT in I.A. 265/2021 before the Hon'ble NCLT, Mumbai Bench on February 02, 2021. Inter-alia seeking directions from Adjudicating Authority with respect to the relinquishment of security interest by PNB. The Hon'ble NCLT vide its order dated September 08, 2021 (received on September 27, 2021) had allowed relinquishment of Security Interest by PNB. Accordingly, the said effect has been given hereinabove.

<p>2</p> <p>During the liquidation process, the Liquidator has received following claims from the creditors after due date of submission of claim:</p> <ul style="list-style-type: none"> a) Employees and Workmen of Corporate Debtor on March 19, 2020 in Form F. b) Canara Bank Limited on August 28, 2020 in Form D. c) Bank of Baroda on November 18, 2020 in Form D. d) Godwin Ship Repairs on December 22, 2020 in Form C and e) Employees State Insurance Corporation on December 31, 2020 in Form C. <p>Since, the above mentioned claims were received after the due date, the Liquidator filed an application in I.A. 265/2021 before the Hon'ble NCLT, Mumbai Bench on February 02, 2021 ("Modification of List of Stakeholders Application") <i>inter-alia</i> seeking directions from Adjudicating Authority with respect to claims received from the creditors after the due date of submission of claim.</p> <p>The Hon'ble NCLT in its order in I.A. 265/2021 dated September 08, 2021 did not specify prayer (a) i.e. to verify and accept the above claims received after the last date.</p> <p>Hence, an application seeking clarification and rectification of the Hon'ble NCLT Order dated September 08, 2021 was filed by the Liquidator on October 30, 2021 in I.A. 2626/2021 ("Rectification of Order Application") under section 420 (2) of the Companies Act, 2013 read with Rule 11 and Rule 154 of the National Company Law Tribunal Rules, 2016.</p> <p>The said application was listed for hearing on January 18, 2022 wherein, the Hon'ble NCLT mentioned that not allowing prayer clause (a) i.e. to permit verification and acceptance of claims received after the last date, in the order dated September 08, 2021 passed in Modification of List of Stakeholders Application was a conscious decision of the Tribunal and not a clerical error and accordingly disposed of the application.</p> <p>Given the order of Hon'ble NCLT referred above and the provisions of The Insolvency and Bankruptcy Code, 2016, rules and regulations made thereunder, the Liquidator is not enabled to verify claims received from the creditors after the due date.</p>	<p>3</p> <p>An IA 1434 of 2022 was filed by Bank of Baroda inter-alia seeking condonation of delay of about 10 months in filing of its claim before the liquidator and an order directing the liquidator to verify and accept the claim filed by Bank of Baroda. This tribunal vide its order dated May 17, 2023 recorded as follows: "...Therefore, this Bench deems fit and proper to allow the condonation of delay in filing the claim before the Liquidator by Ten months and directs the Liquidator to examine the claim in terms of Section 53 of the Code and pass a reasoned order." In compliance of above directions of Hon'ble NCLT, the proof of claim submitted by Bank of Baroda has been verified by the liquidator and updated in the list of stakeholders prepared and maintained.</p>
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ANNEXURE I to List of Stakeholders (modified)		
Details of Security Interest created		
Sr. no.	Financial Creditors	Security Interest
1	Punjab National Bank	Primary Security: Entire movable and immovable fixed assets and current assets of the Bharti Defence & Infrastructure Ltd. (1st pari-passu charge with secured lenders)
1A	Punjab National Bank	Collateral Security: 1. Residential flat at 403, Raj Kamal CHS Ltd, Off Yari Road, Versova, Andheri (West) situated at leasehold land Plot bearing C.T.S. No. 1210 (Part) S.No. 20, Hiss No.1 (Part), Mumbai with built up area of 725 sq ft (presently charge limited upto WC limits upto Rs 3100.00 cr) 2. Residential flat at 604, Cliff Tower, situated at Plot No. 34, S.No.41 (Part), Cross Road No.3, Samarth Nagar, Lokhandwala Complex, Andheri (W) with built up area of 610 sq fts.(Charge limited upto WC limits upto Rs 3100.00 cr) 3. TDR in lieu of mortgage of MIDC property at Ratnagiri/Collateral
1B	Punjab National Bank	30722211 Shares (unsold) of Bharti Defence & Infrastructure Ltd. 5950265 Shares (unsold) of GOI. Ltd.
2	Edelweiss Asset Reconstruction Company Ltd.	All that piece and parcel of land known as "BORMA" situated at Sancoale at village panchayat of Sanacole, taluka-Mormugao, District-South Goa, under no. 1278/48/B4 and Under no. 2954/125/G4 admeasuring 2200 sq mtr of Pinky Shipyard Pvt. Ltd.
2A	Edelweiss Asset Reconstruction Company Ltd.	1. All piece and parcel of land together with building and constructions thereon situated at village Mirya Ratnagiri Zilla parishad at 49/9,50/4,50/1,51/41 admeasuring area 27.25 gunthas and 86/13&20,87/1-5-12-17 to 19,89/6-11-15-20-21-27,113/8A,114/1-5-15-17. 2. All piece and parcel of land together with building and constructions thereon situated at village Usgaon, Taluka-Dapoli, Ratnagiri Zilla parishad at 50/1,52/8,44/3-6-9-16-19-14-25,50/3,52/10,95/12,46/5,91/19,92/5C,92/5/1A. 3. All piece and parcel of land together with building and constructions thereon situated at Pot Tukdi, Tahsil Dapoli, Ratnagiri Zilla parishad at 19/9,19/8,20/1,20/3,21/2,22/13. 4. All piece and parcel of land together with building and constructions thereon situated at village Usgaon, Tahsil Dapoli, Ratnagiri Zilla parishad at 101/1 at Kauli Khajan Valvanda. 5. All piece and parcel of land together with building and constructions thereon situated at village Usgaon, Tahsil Dapoli, Ratnagiri Zilla parishad at 101/1 at Kauli Khajan Valvanda. 6. All piece and parcel of land together with building and constructions thereon situated at village Usgaon, Tahsil Dapoli, Ratnagiri Zilla parishad at 43/4,45/5,45/6,45/13,50/5,54/17,57/12-14,47/11B-C,47/27,44/18,44/21,58/11,58/20,47/11A-23,52/11,97/5,47/11A,47/23,52/11,97/5,47/13,50/2,52/9,54/1,95/7,95/13. 7. All the commercial office spaces situated at Ayesha Complex, Block No. 6&7, 1st floor, Opp. nagar panchayat, Dapoli, Ratnagiri-415/712 admeasuring 388 Sq.ft. 8. Residential flat at 403, Raj Kamal CHS Ltd, Off Yari Road, Versova, Andheri (West) situated at leasehold land Plot bearing C.T.S. No. 1210 (Part) S.No. 20, Hiss No.1 (Part), Mumbai with built up area of 725 sq ft(presently charge limited upto WC limits upto Rs 3100.00 cr)
2B	Edelweiss Asset Reconstruction Company Ltd.	9. Residential flat at 604, Cliff Tower, situated at Plot No. 34, S.No.41 (Part), Cross Road No.3, Samarth Nagar, Lokhandwala Complex, Andheri (W) with built up area of 610 sq fts.(Charge limited upto WC limits upto Rs 3100.00 cr).
2C	Edelweiss Asset Reconstruction Company Ltd.	10. Commercial spaces situated at office no.s 101-112 on the first floor of oberoi chambers-II, new link road, Andheri(w), Mumbai-400053. 11. Commercial spaces situated at office 302-303, wakefield House, sprrott road, Ballard estate, Mumbai-400038. 12. Commercial property situated at Bhoir Comp, Shanker Bhoir Compound, Plot No.-20 Versova Village, Ghodbunder Road, Thane-401104. 13. Charge over all the properties of the along with all its fixed assets and all the plant and machinery of the company, owned and acquired by the company from time to time.
		All movable properties of the company (first pari passu charge)
		All movable properties of the company (floating charge)

3	Bank of Baroda	Movable and Immovable fixed assets (except assets specifically charged) of the company with FACR of 1.25 (at pari-passu basis)
3A	Bank of Baroda	<p>i. First pari-passu charge with certain Term Loan facilities:</p> <ul style="list-style-type: none"> - Location of Current Assets (Movable Properties) of the Corporate Debtor amongst others would be Ghodbunder - Thane, Usgaon - Dabholi, Mirya Bunder - Ratnagiri, Zorinto, Sancole - Goa, Thannirbhavi - Mangalore, Shibpur - Howrah, Kolkata; - Location of Immovable Properties mentioned below at point (b) on which First and Second Mortgage and Charge is created comprise of: <ul style="list-style-type: none"> a) Village Usgaon, Taluka Dapoli, Dabhol, District Ratnagiri and Sub-Division of Ratnagiri Area; b) Village Mirya Bunder Jurisdiction of Ratnagiri Zillah Parishah Area, Mirya Group Gram Panchayat Ratnagiri both present and future; - Location of Residential flats owned by the personal guarantors/promoters/directors on which Third Mortgage and Charge is created comprise of: <ul style="list-style-type: none"> a) Residential flat No: 403, admeasuring about 725 square feet built up area on the 4th floor of the building known as "Versova Raj Kamal Co Operative Housing Society Ltd" constructed on all piece and parcels of land admeasuring about 606 square metres bearing C.T.S. No: 1210/4, Survey No: 20, Hissa No.1 (part) situated offYari Road, Versova, Andheri(W), Mumbai Suburban District in the Registration District and Sub-District of Mumbai City and Mumbai Suburban, and b) Residential flat no. 604, admeasuring about 610 square feet built up area, on the 6th floor of the building known as "Cliff Tower Co-Operative Housing Society Ltd" constructed on all piece and parcels of land admeasuring about 45210 feet metres bearing plot no: 34, Survey No. 41 (Part), situated at Village Oshiwara, Taluka Andheri in the registration District and Sub District of Mumbai City and Mumbai Suburban.

3B

Bank of Baroda

Security for Corporate Term loan I of Rs.60.75 Crores, TII II (for Vessel Completion) of 5.59 Crores, FITI-I of 10.03 Crores, FITI-II of 0.43 Crores, TII-III (for capex) of 3.64 Crores (not disbursed and loan-for CCO- 6.75 Crores

- All movable (both fixed and current assets) & immovable assets of the Company, existing and future.

a) Plant and machinery, Dredger, Rs.622.30 Cr Two Line handling Boat, Furniture & Fittings, Vehicles, Office Equipments, Computers, Computer software;

b) Land & Building of:

Dabhol Shipyard

Ratnagiri Shipyard

Ghodbunder) Shipyard

Goa Shipyard

Kolkata Shipyard

Mangalore Shipyard

Corporate Office

c) Current Assets-Second pari-passu charge

- Pledge of all unencumbered shares (existing and future expanded promoter's equity) of the Company held by the promoters.

- Residential flats belonging to Mr. P.C. Kapoor (at 403, Raj Kamal C.H.S., Andheri West, Mumbai admeasuring built up area 725 sq.ft.) and

- Residential flats belonging to Mr. Vijay Kumar (at 603 & 604, Cliff Tower, Lokhandwala, Andheri West, Mumbai admeasuring built up area 610 sq.ft.).

- Personal Guarantees of Mr. P.C. Kapoor and Mr. Vijay Kumar

- Corporate Guarantees.

1. Pinky Shipyard P Ltd

2. Nirupam Energy Projects P Ltd

3. Dhanashree Properties P Ltd

4. Natural Power Ventures P Ltd

5. Bharati Shipping and Dredging Company P Ltd

6. Bharati Maritime Services P Ltd

7. Harsha Infrastructure P Ltd

8. Bharati Infratech Projects P Ltd