**FORM CA  
SUBMISSION OF CLAIM BY FINANCIAL CREDITORS IN A CLASS**  
(Under Regulation 8A of the Insolvency and Bankruptcy (Insolvency Resolution Process for Corporate Persons) Regulations, 2016)

From 15-12-2018

KIRAN KACHROO,

988, Sector-A, Pocket-B&C, VASANT KUNJ,

NEW DELHI 110070

To  
Udayraj Patwardhan,

Sumedha Management Solutions Private Limited,

C-703, Marathon Innova, Off Ganapatrao Kadam Marg,

Lower Parel (West), MUMBAI CITY,

MAHARASHTRA 400013

**Subject**: **Submission of claim and proof of claim.**

Madam/Sir,

I/we, KIRAN KACHROO and “Name of 2nd creditor as applicable”, hereby submits this claim in respect of the corporate insolvency resolution process of Adel Landmarks Limited. The details for the same are set out below:

|  |  |  |
| --- | --- | --- |
| RELEVANT PARTICULARS | | |
| 1. | Name of the financial creditor | KIRAN KACHROO / “Name of 2nd creditor as applicable” |
| 2. | Identification number of the financial creditor  (If an incorporated body, provide identification number and proof of incorporation. If a partnership or individual, provide identification records of all the partners or the individual) | 1. PAN No.: XXXXXXXX   Aadhaar No.: XXXXXXXX   1. PAN No.: XXXXXX of 2nd creditor as applicable   Aadhaar No.: XXXXX of 2nd creditor as applicable |
| 3. | Address and e-mail address of the financial creditor for correspondence. | Address for correspondence:  988, Sector-A, Pocket-B&C,  Vasant Kunj,  NEW DELHI 110070  e-mail Address:  indermunshi@rediffmail.com |
| 4. | Total amount of claim (in Rs.) | 54,12,254 |
| 5. | Details of documents by reference to which the debt can be substantiated | 1. Claim calculation sheet showing all payments made to corporate debtor including interest @ 9% as agreed upon by corporate debtor as per BBA (Builder Buyer Agreement), Clause 15.8. 2. Allotment letter of unit in Cosmocity-3 from corporate debtor 3. Demand letters received from corporate debtor for stage wise payments. 4. All payment receipts issued by corporate debtor against payments made to them 5. Statement of accounts issued by corporate debtor. 6. BBA signed between me, the financial creditor and corporate debtor, who agreed to deliver the unit by 05-03-2018 plus a grace period of Six months. 7. Re-sale substitution letter by corporate debtor, M/s Adel (ERA) transferring the unit in my name after I purchased it from the original buyers. |
| 6. | Details of how and when debt incurred | **Adel Landmarks Limited (earlier known as ERA Landmarks Limited), the corporate debtor** launched Cosmo City-3 group housing project in 2011 and a unit No. CSM3/103/C2-0302 (Unit No. was allotted through allotment letter later on 01-04-2013) measuring 2100 Sq. ft. (approx.) was booked on payment of Rs. 5,50,000 to them in Nov’ 2011 by the original buyers from whom I, the financial creditor, purchased in re-sale. All the payments made by the original buyer to the corporate debtor have been paid by me to the original buyer. The receipts of payments issued to the original buyer have been endorsed by the corporate debtor in my name and the unit stands transferred in my name by the corporate debtor. Subsequent payments were made to the corporate debtor from time to time as per their demand till Sept’2013. **The total principle amount paid to the corporate debtor comes to Rs.35,05,889 and the simple interest accrued @ 9% per annum, as agreed upon by the corporate debtor as per Builder Buyer Agreement (BBA) till the insolvency commencement date, comes to Rs. 19,06,365. Hence Total Claim comes to: Rs.54,12,254**. Builder Buyer Agreement (BBA) was signed between I, the financial creditor and the corporate debtor on 06-09-2013. As per this BBA the corporate debtor agreed to deliver the unit by 05-03-2018 plus a grace period of Six months, but till date neither the unit was delivered by them nor have they started construction at Cosmo City-3 site. Hence the claim |
| 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 | Not Applicable |
| 8. | Details of any security held, the value of the security, and the date it was given | Unit No. CSM3/103/C2-0302, Value: Rs. 76,81,500  Allotted on Date:01-04-2013 |
| 9. | Details of the bank account to which the amount of the claim or any part thereof can be transferred pursuant to a resolution plan | Savings Bank Account No.: XXXXXX  Bank Name: XXXXXX  Branch:. XXXXXX  Branch Code: XXXXXX  IFSC: XXXXXX |
| 10. | List of documents attached to this claim in order to prove the existence and non-payment of claim due | 1. CA form itself. 2. Claim calculation sheet. 3. Allotment letter of unit in Cosmocity-3 from Adel (ERA), the corporate debtor. 4. Demand letters from corporate debtor. 5. All payment receipts from the corporate debtor. 6. Statement of accounts from the corporate debtor. 7. BBA (Builder Buyer Agreement) between financial debtor and the financial creditor. 8. Copy of PAN card of the Financial Creditor. 9. Copy of Aadhaar card of the Financial Creditor. 10. Copy of cancelled cheque in respect of bank account given at Sl. No. 9 above. 11. Re-sale substitution letter by the corporate debtor. |
| 11. | Name of the insolvency professional who will act as the Authorized representative of creditors of the class | Mr. Inder Paul Singh Oberoi. |

|  |
| --- |
| Signature of 1st creditor / “2nd creditor or authorised person as applicable”  Signature of financial creditor or person authorised to act on its behalf  [Please enclose the authority if this is being submitted on behalf of the financial creditor] |
| Name in BLOCK LETTERS: KIRAN KACHROO / “Name of 2nd creditor as applicable” |
| Position with or in relation to creditor: Self or “relation/position of authorised person with creditor |
| Address of person signing: 988, Sector-A, Pocket-B&C, Vasant Kunj, NEW DELHI 110070 |

**\***PAN number, passport, AADHAAR Card or the identity card issued by the Election Commission of India.

**DECLARATION**

I/we, KIRAN KACHROO and “name of the 2nd creditor as applicable”, currently residing at 988, Sector-A, Pocket-B&C, Vasant Kunj, NEW DELHI 110070, do hereby declare and state as follows: -

1. Adel Landmarks Limited, the corporate debtor was, at the insolvency commencement date, being the Fifth day of December 2018, actually indebted to me for a sum of Rs. 54,12,254.
2. In respect of my claim of the said sum or any part thereof, I have relied on the documents specified below:
3. Form CA itself
4. Claim calculation sheet
5. Allotment letter of unit from the corporate debtor.
6. Demand letters from the corporate debtor.
7. All payment receipts from the corporate debtor.
8. Statement of accounts from the corporate debtor.
9. BBA (Builder Buyer Agreement)
10. Copy of PAN card of the Financial Creditor.
11. Copy of Aadhaar card of the Financial Creditor
12. Copy of cancelled cheque in respect of bank account given at Sl. No. 9 above.
13. Re-sale substitution letter by the corporate debtor.
14. The said documents are true, valid and genuine to the best of my knowledge, information and belief and no material facts have been concealed therefrom.
15. In respect of the said sum or any part thereof, neither I, nor any person, by my order, to my knowledge or belief, for my use, had or received any manner of satisfaction or security whatsoever, save and except the following: Nil

[Please state 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].

1. I am not a related party of the corporate debtor, as defined under section 5 (24) of the Code.
2. I am eligible to give voting instruction to the authorized representative by virtue of proviso to section 21 (2) of the Code even though I am a related party of the corporate debtor.

Date: 15-12-2018

Place: Delhi

Signature of 1st and 2nd creditor

(Signature of the claimant)

VERIFICATION

I/we, KIRAN KACHROO and “name of the 2nd creditor as applicable” the claimant herein above, do hereby verify that the contents of this proof of claim are true and correct to my knowledge and belief and no material fact has been concealed therefrom.

Verified at Delhi on this fifteenth day of December, 2018

Signature of 1st and 2nd creditor

(Signature of the claimant)