

MIN OF MEETING OF 23RD DEC 18 GBM

Almost 125-140 members have been attended the today GBM held at Essel Tower community hall the minute of meetings of the GBM is as follow

NCLT Process Now Onwards

- 1) After collecting the claim form in next 15 days IRP will compile all claims from various creditors and IRP will setup the website , they will upload all the claimants details and their claim value for everyone reference.
- 2) Then after they will constitute committee of Creditors (COC) which will be mainly financial creditors like banks , secure creditors and buyers from buyers side Authorized Representative (A.R) will be attending the meetings
- 3) There will be First COC meeting where IRP will present All asset and liabilities and the copy will be given to A.R from and then A.R will share with buyers
- 4) Then there will voting for Finalizing IRP , for which every claimant will get a mail with LOGIN and PASSWORD to vote, this voting will be a continuous process for every Important decision during whole process like, any resolution, change of IRP, selection of bidder, and final resolution acceptance or rejection will be done through voting.

Probability out come of NCLT process

There is two possibility of this NCLT process I will Present one by one

A- Liquidation

B- Resolution

Liquidation Process---- Means all the Financial creditors banks and Buyers will be refunded money in proportionate of their Debt value, as per priority mentioned in IBC we buyers and Banks are first priority, this will happens after sale of all the asset of Adel, including lands, Completed Projects, Incomplete Projects, and other liquid assets I am Attaching herewith the below status of Assent and liabilities as per their Books & Records which I could dig in.

<u>Asset name</u>	<u>Value cr</u>	<u>Liabilities Principal Amounts</u>	<u>Value Cr</u>	<u>Remarks</u>
Payment Made to Parties to purchase land /constructed property (Basically it is Lands)	815	UBI	31	SECURE CREDITORS/FINANCIAL CREDITORS
Advance to Subsidiaries co to Purchase land including desert moon and Headway (Basically it is Lands)	305	DENA BANK	14	SECURE CREDITORS
Inventories and work in progress in Several Project- The Amount is After Minus of 200 CR PENDING EDC/IDC	715	BANK OF MAHARASTRA	2	SECURE CREDITORS
recoverable cash from project /independent/dtcp	17	EDELWEISS	170	SECURE CREDITORS
		ILFS	117	SECURE CREDITORS
		CAPRI GLOBAL	13	SECURE CREDITORS
		SICOM LTD	45	SECURE CREDITORS
		AXIX BANK	51	SECURE CREDITORS
		J&K BANK	48	SECURE CREDITORS
		GLADIOUS PROPARTIES	26	SECURE CREDITORS
		BUYERS	815	SECURE CREDITORS
		SUNDERY CREDITORS	200	NON SECURE/OPERATIONAL CREDITORS
		Creditors for purchase of land	288	I AM NOT SURE WHICH CLASS IS THIS
	1852		1820	

Above mentioned asset and liabilities are extracted from the Balance Sheet uploaded on MCA site, also the above details verified from a Sworn affidavit submitted by Adel in Delhi High Court in 2016

Lets Explain Liquidation , how and when this situation may Occur

This Situation will only occur when majority financial creditors like Main creditor Edelweiss and we all buyers decides that we do not want any resolution and we want only our money back then IRP will have no any other options except then to go for liquidation and sell the lands/Assets and whatever the collection comes , then distribute as per priority of creditors as per IBC law.

As I explain in the morning there are several Projects, where buyers have got their registry done though without O.C because there is lien on those project of below mentioned banks and other financial institution and they have not given NOC, but after this NCLT resolution once their loan get addressed and paid they will give the NOC and buyers may get their flat or plot without any dispute , then these set of buyers will never want to go for liquidation as in that case they will have to leave their Flat/Plot to get refunded after selling it by the IRP

PROJECT NAME	STATUS	CHARGES
GARDENIA ESTATE	70- 90% REGISTRY DONE (without O.C)	AXIX BANK
ASPEN GARDEN	70-90% REGISTRY DONE (without O.C)	BOM
DEVINE COURT	25 ACR HIGH RISE AND LOW RISE , LOWRISE 90% COMPLETED, HIGH RISE UNDER MOU FOR COMPELTION	DISPUTE WITHOUT ANSAL
REDWOOD RECIDENCY	GROUP HOUSING 4 TWOER OC RCD 3 TOWER UNDER CONSTRCUTION	SICOM LTD
DEVINE COURT PALWAL	REGISTRY DONE (Without O.C)	SICOM LTD
ASTER COURT JAIPUR	60-70 % STRUCTURE	STATURY CLEARANCE IS PENDING
ORCHID GREEN BAHADUR GARH	UN ALLOTTED 70% REFUNDED	
GREEN WORLD PALWAL	PLOT & VILA (PENDING)	ILFS
LAUREL GARDEN-1	REGISTRY DONE (Without O.C)	DENA BANK
LAUREL GARDEN-2	PLOT PENDING	CAPRI GLOBAL
COSMO CITY-1	PENDING	ICICI BANK

COSMO CITY-3	PENDING	NONE
COSMO COURT	PENDING	ICICI BANK
ARENA BANGALORE	35 ACRE	DESPUTE BETWEEN PARTERS
SKY VILLE	UNDER MOU	IL&FS/EDELWEISS

The above information is my dinging that may be slight here and there some incorrectness in the information which will be rechecked in future.

Now when it seems that Liquidation is not viable for all those buyers who got registry done and other project buyers who still wants the flat and also the financial creditors does not want liquidation then second option will come which is resolution .

B- Resolution Process-- now suppose liquidation is not viable then resolution is the second option .

Which means IRP will ask for the bid from investor or any financial institution to check the asset and viability of the project and if any interested party agree they will bid for the resolution which possibly may be any other builder or any financial institution who can come forward and take over our liabilities including the incoming funds from buyers and unsold inventories in the project and takeover the project for the development and gives it to any other developer.

This resolution will be included for those buyers ,who wants refund only due to various and obvious reasons, therefore IRP has to make the resolution for both set of buyers such as flat seeker and Refund seeker and then he will formulate the final resolution plan in the COC and then this Resolution will be voted by every buyers who have claimed and the Financial creditors like banks , after voting if 66% decide and gives YES in the favor of Above resolution , then it will be ordered by the NCLT and it will acceptable to all, and if 66% rejects the Above resolution then again further Negotiation and Discussion till the two third consensuses does not come.

Ideally the above whole process should be done in 180 days from now but seeing so many stake holder it may go further 180 days

Reaching Supreme Court

1) As we discussed in length at this moment we do not have direct ground to reach to S.C , because even if we file in SC on ground for money diversion we do not have any prima facie evidence like initial Audited report which can prove money diversion so that we can convince to S.C that there is fund diversion and S.C should order for Forensic order , because for ordering we at least need to give some concrete ground and information for ordering the same because petition based on our hunch and assumption or here and say information will be dismissed, also S.C will ask to wait for the order from Trial court, where charge sheets are already filed , and he may say if we are not satisfied with the trial court speed, then we have to go for High Court for review petition not the SC.

2) **Against NCLT---** As I have many times , that against NCLT order it will not be accepted because SC will ask us to exercise our rights first in IBC which gives legal right and equality to like any other secured creditors.

Criminal Cases Follow Up

Gurgaon Trial Court--- Association has already appointed a lawyer for the Gurgaon trial court and on next hearing our demands will be forensic audit for the Adel accounts and further investigation against the roll other directors of Adel

Saket Trial Court Fir no1--- This trial court has already ordered for Audit of Adel Financial Association will take the active part and appoint our own lawyer with plea of further investigation of accounts and Arrest of other directors

Chandigarh High Court--- We will change the existing lawyer and appoint another law firm and demands will be the same of Accounts audit of Adel and cancellations of bails, and as soon as we get any order from Chandigarh high court on Bail, we will go to S.C immediately for relief

Other Activities

1) Complain against SkyVilee Project – I have already sent a Preliminary objection and Complain to IRP , and sought an explanation why the Skyville Project is not Included in Adel Insolvency Process, however I have not received any reply but as soon as process start we will appoint a lawyer to challenge in

NCLT board to bring the assets and liabilities of Sky-Ville in Adel Insolvency Proceeding.

- 2) Association will also spent some money on any independent PMC company for evaluation of Cosmo City-1 and Cosmo City -3 Project viability and funds requirement of Project , because same will be done by the IRP, therefore we need to have our own report for validation.
- 3) Association has already appoint a C.A for auditing the Adel Accounts to get concrete information as much as possible to use it during the NCLT process as well as during the criminal cases

Closing Statement

The above are the main points discussed in the GBM, I would like to say , that the main savior for all of us buyers will be unity , no matter if the choices are different of each buyers , but if we are united then we all buyers will get result as per their choice either flat/refund , and if we are not united then we will have to accept , whatever the financial creditors will offer to us.

Their main objective will be that buyer should not get united at any cost, therefore they will try to misguide buyers as much as possible , they would wish buyers to make separate groups, separate demands and would love to create chaos as much as possible between buyers,so that finally buyers gets fed up and lastly accept whatever resolution they will get offered.

Kindly do not get agitated or overreact on any news spread on whats app, check the authenticity read about the news properly, consult with some people who have knowledge ,then take any action

It is very Good that we Cosmo City-1 and Comso city-3 has strongest, well united and a very decent Association with Good amount of finance to use on lawyers and other activities, if we are united then others association will support us , but if we are fragmented then any one can use us for their own benefit.

**Thanks And Regards From Cosmo city Buyers Association Core
Committee**

Date 24/12/18

