

3rd UPDATED LIST OF CREDITORS

CORPORATE DEBTOR: M/S APEX BUILDSYS LTD

1. FINANCIAL CREDITORS

CONSOLIDATED CLAIMS (a+b+c) -

(Amount in INR)

Financial creditors	Original claims			Revised claims		
	Amount claimed	Claim admitted	Voting share	Amount claimed	Claim admitted	Voting share
State Bank of India	2,09,96,54,275	2,09,96,54,275	47.27%	2,09,96,54,275	2,09,96,54,275	47.23%
ICICI Bank Ltd.	1,75,56,32,647	1,75,56,32,647	39.53%	1,75,56,32,647	1,75,56,32,647	39.49%
Bank of Bahrein & Kuwait	31,52,13,944	30,81,14,471	6.94%	31,22,86,830	31,22,86,830	7.02%
IFCI Factors Ltd	25,23,95,227	25,23,95,227	5.68%	25,23,95,227	25,23,95,227	5.68%
Jammu and Kashmir Bank	2,59,80,177	2,59,80,177	0.58%	2,59,80,177	2,59,80,177	0.58%
Total	4,44,88,76,271	4,44,17,76,798	100.00%	4,44,59,49,156	4,44,59,49,156	100.00%



a) Working Capital Facilities in Consortium (Inclusive of WCTL & FITL) –

(Amount in INR)

Financial creditors	Amount claimed	Claim admitted	Voting share
State Bank of India	2,09,96,54,275	2,09,96,54,275	81.37%
ICICI Bank Ltd.	16,86,07,292	16,86,07,292	6.53%
Bank of Bahrein & Kuwait	31,22,86,830	31,22,86,830	12.10%
Total	2,58,05,48,397	2,58,05,48,397	100.00%

b) Term Loan Facilities –

(Amount in INR)

Financial creditors	Amount claimed	Claim admitted	Voting share
ICICI Bank Ltd.	1,28,65,87,196	1,28,65,87,196	100.00%
Total	1,28,65,87,196	1,28,65,87,196	100.00%

c) Other Credit Facilities – Working capital facilities outside consortium

(Amount in INR)

Financial creditors	Amount claimed	Claim admitted
ICICI Bank Ltd (OD & BG)	30,04,38,159	30,04,38,159
IFCI Factors Ltd	25,23,95,227	25,23,95,227
Jammu and Kashmir Bank Ltd	2,59,80,177	2,59,80,177
Total	57,88,13,563	57,88,13,563



Security Interest for the credit facilities granted (Lender wise) is as follows-

A) ICICI Bank

For Rupee term loan 1, Rupee term loan 2 and Overdraft

a) Primary security:

- **First charge** on entire movable fixed assets of the company (by way of hypothecation), both present & future, located at borrower's divisions at various places in India.
- **First charge** on entire immovable fixed assets/ properties of the company (by way of equitable mortgage), both present & future, located at borrower's divisions at various places in India which are as follows

➤ Property (Factory land & building) bearing industrial plot no 11, Sector-9, IIE Pantnagar, Rudrapur, Uddham Singh Nagar, Utrakhand measuring 65,201.42 sq. mtrs

➤ Property (Factory land & building) bearing industrial plot no. D-3 in the Umred Industrial Area, within the village limits of Belgaon and Kunbhari, outside Municipal limits, Taluka Umred and District Nagpur measuring 2,56,473 sq. mtrs., Maharashtra

(Both properties along with all buildings and structures thereon, fixtures, fittings and all plant and machinery attached to the earth or permanently fastened to anything attached to the earth, both present and future.)

b) Personal Guarantee of the following

- i. Mr. Hem Singh Bharana

c) Corporate Guarantee of the following

- i. ERA Infra Engineering Ltd.

Working capital facilities under consortium

a) Primary security:

- **First charge** on entire current assets of the company, both present & future, wherever situated, pertaining to the borrower/ borrower's divisions at various places in India, shared **pari-passu** among the consortium members, by way of hypothecation.

b) Collateral Security:



- **Second charge** on entire fixed assets of the company (Both movables and immovables), both present & future, located at borrower's divisions at various places in India, shared **pari-passu** among the consortium members.

c) Personal Guarantee of the following

- Mr. Hem Singh Bharana

d) Corporate Guarantee of the following

- ERA Infra Engineering Ltd.

Bank Guarantees (Outside consortium)

a) Primary security

- First pari-passu charge on current assets of the company.
- Second pari-passu charge on entire fixed assets of the company (both movable & immovable)

b) Personal Guarantee of the following

- Mr. Hem Singh Bharana

Note: This Bank Guarantee Limit of ICICI Bank Ltd. is being considered as a secured facility based on the direction of Hon'ble NCLT on the application of Jammu & Kashmir Bank as discussed at the security interest of Jammu & Kashmir Bank in Para D.

B) State Bank of India

Working capital facilities under consortium

a) Primary security:

- **First charge** on entire current assets of the company, both present & future, wherever situated but pertaining to the borrower/ borrower's divisions at various places in India, shared **pari-passu** among the consortium members, by way of hypothecation

b) Collateral Security:

- **Second charge** on entire fixed assets of the company (Both movables and immovables), both present & future, located at borrower's divisions at various places in India, shared **pari-passu** among the consortium members. (Same as held by the ICICI Bank Ltd for the term loans)
- **Pledge** of 90,59,050 fully paid up shares of the Apex Buildsys Ltd (Borrower) held by Era Infra Engineering Ltd (Exclusive additional security pursuant to restructuring)



- c) Personal Guarantee of the following
 - i. Mr. Hem Sing Bharana

- d) Corporate Guarantee of the following
 - i. ERA Infra Engineering Ltd.

C) Bank of Bahrain & Kuwait BSC

Working capital facilities under consortium

- a) Primary security:
 - **First charge** on entire current assets of the company, both present & future, wherever situated, pertaining to the borrower/ borrower's divisions at various places in India, shared **pari-passu** among the consortium members, by way of hypothecation

- b) Collateral Security:
 - **Second charge** on entire fixed assets of the company (Both movables and immovables), both present & future, located at borrower's divisions at various places in India, shared **pari-passu** among the consortium members. (Same as held by the ICICI Bank Ltd for the term loans)

- c) Personal Guarantee of the following
 - i. Mr. Hem Singh Bharana

- d) Corporate Guarantee of the following
 - i. ERA Infra Engineering Ltd.

D) Jammu and Kashmir Bank

Term loan for Working capital (Outside consortium)

- a) Security
 - i. First pari-passu charge on all movable and immovable fixed assets (present & future) of the company with ICICI Bank, other than those exclusively charged.
 - ii. Second pari-passu charge on all the current assets of the company, with ICICI Bank.

- b) Personal Guarantee of the following
 - i. Mr. Hem Singh Bharana



c) Corporate Guarantee of the following

- i. ERA Infra Engineering Ltd.

Note: Pursuant to the directions of Hon'ble NCLT, on an application filed by Jammu & Kashmir Bank in the matter of ICICI Bank Ltd. Vs Apex Buildsys Ltd., vide order dt. 09-01-2019, Jammu & Kashmir Bank has now been treated as a Secured Financial Creditor.

E) IFCI Factors Ltd

Factoring of receivables -Working capital (Outside consortium)

a) Personal Guarantee of the following

- i. Mr. Hem Singh Bharana



2. OPERATIONAL CREDITORS

List of operational creditors whose claim has been admitted

(Amount in Rs. Lacs)

S. No	Name	Claim filed	Claim admitted
1	Vishwanath Industries	2.27	1.55
2	Transolutions Pvt Ltd	66.49	61.32
3	P C Bindal & Co	18.93	15.35
4	Gee Kay Gases	1.71	1.71
5	Union Roadways Ltd	79.53	55.74
6	EMMAAR EL Construction Pvt Ltd	437.72	282.67
7	ADOR Welding Ltd	53.35	38.79
8	Mukta V N Films Ltd	113.10	41.25
9	Anil Kumar Sharma	1.50	0.91
10	Balaji Associates	10.00	2.69
11	Maharashtra Vat Department	123.62	123.62
12	Commercial Tax Officer -Rajasthan	10.57	10.57
13	R D Weld Products Pvt Ltd	24.87	12.18
	Total	943.66	648.35

Note: The status of the other claims received as operational creditors is as follows:

(Amount in Rs. Lacs)

S. No	Name	Claim filed	Status
1	Jangipur Bengal Mega Food Park Ltd	4,804.06	Rejected
2	Sunflag Iron & Steel Co. Ltd	2,137.00	Rejected
3	Roquette Riddhi Siddhi Pvt Ltd	5.00	Wrong form
4	Mukti Enterprises	0.25	Rejected due to late submission
5	GNR LOGISTICS PVT. LTD.	13.90	Rejected due to late submission
6	SDTC Logistics	6.61	Rejected due to late submission
7	Grauer & Weil (India) Limited	20.17	Rejected due to late submission
8	Nagesh Roadlines	17.57	Rejected due to late submission
9	Gujrat Maharashtra Trailor transport service	15.65	Rejected due to late submission
10	Isolloyd Engineering Technologies Limited	7.06	Rejected due to late submission
11	Lloyd Insulations (India) Limited	62.38	Rejected due to late submission
12	M/s Ahluwalia Contracts (India) Limited	1227.08	Rejected due to late submission
13	Shamji Travels & Tours	1.65	Rejected due to late submission



3. EMPLOYEES

List of employees whose claim has been admitted

(Amount in Rs. Lacs)

S. No	Name	Claim filed	Claim admitted
1	Satish Chandra	3.00	2.37
2	Prashant Chauhan	1.35	1.07
3	Mahendra Pal Singh	0.77	0.69
4	Syamsundar Bandyopadhyay	3.72	3.65
5	Chetan Sharma	2.83	1.12
6	Dinesh Ambwani	4.54	4.49
7	Shailesh Gada	6.15	2.64
8	Gangadhar Reddy Mannem	4.11	2.71
9	Amitava Gayen	1.17	0.88
10	Neeraj Kumar	2.73	1.67
11	Jitender Kumar Aggarwal	0.74	0.70
12	Vishnu Kumar Gupta	0.81	0.81
13	Deepak Giri	1.50	1.28
14	Suresh Kosta	1.71	1.59
15	Dasaradha Ramaiah	8.34	4.34
16	Rakesh Sahi	10.94	4.60
17	Gajanan Chourewar	4.01	1.48
18	Rajeev Gupta	2.12	2.12
	Total	60.54	38.21

Note: The status of the other claims received from employees is as follows:

(Amount in Rs. Lacs)

S. No	Name	Claim filed	Status
1	Shyam Veer	0.96	Rejected due to late submission
2	L. Thyagarajan	2.97	Rejected due to late submission
3	Manikandan Shivan	0.45	Rejected due to late submission
4	Ashish Shrivastava	5.20	Rejected due to late submission
5	Mayur Sabhaya	0.80	Rejected due to late submission
6	U. Sandhya Rani	5.60	Rejected due to late submission
7	Sanjay Kumar Singh	1.13	Rejected due to late submission



GIAN CHAND NARANG

RESOLUTION PROFESSIONAL

M/S APEX BUILDSYS LIMITED

Date: 31.01.2019

Place: New Delhi

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