BEFORE THE HON'BLE NATIONAL COMPANY LAW TRIBUNAL,
NEW DELHI, PRINCIPAL BENCH

C.P. NO. (IB)-1082(PB)/2018

IN THE MATTER OF:

ALCHEMIST TOWNSHIP INDIA LIMITED.
FLAT NO- 1511 (Front Portion), Hemkunt Chambers,
89 Nehru place New Delhi 110019

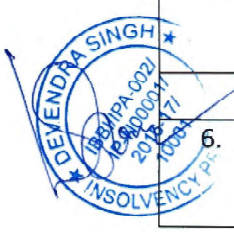
.....Corporate Debtor

AND IN THE MATTER OF:

Devendra Singh **..... Resolution Professional**

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DEVENDRA SINGH
Resolution Professional
In the matter of Alchemist Township India Limited
Regn No. IBBI/IPA-002/IP-N00001/2016-17/10001
Add: ATS Greens Paradiso, Flat No: 02054,
Tower - 2, Plot No : GH-03, Sector-CHI-04,
Greater Noida, Uttar Pradesh – 201308
Office At: D-54, FF, Defence Colony, New Delhi - 110024
Email Id:-dev_singh2006@yahoo.com; atil.cirp@gmail.com;
Mob-9810331877, 9810339416

PLACE: New Delhi
DATED: 18.05.2021

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FOURTH PROGRESS REPORT FILED BY DEVENDRA SINGH, RESOLUTION PROFESSIONAL IN THE MATTER OF ALCHEMIST TOWNSHIP INDIA LIMITED

1. That the application was filed under Section 7 of Insolvency and Bankruptcy Code, 2016 read with Rule 4 of the Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016 on 07.08.2018 by Ms. Kiran Malhotra, as the Financial Creditor with the prayer to commence the Corporate Insolvency Resolution Process (CIRP) against the Alchemist Township India Limited (ATIL), Corporate Debtor.

2. That the said application IB No. 1082/PB/2018 for initiation of Corporate Insolvency Resolution Process (CIRP) was admitted by Hon'ble National Company Law Tribunal (NCLT), Principal Bench, New Delhi vide its order dated 25.01.2019, wherein the CIRP of ATIL was commenced and Mr. Pramod Goel, was appointed as the Interim Resolution Professional (IRP). Copy of the order was received by the IRP on 30.01.2019.

3. That in terms of the provisions under Section 15 of the IBC, 2016 read with Regulation 6 of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016, the Public Announcement in Form A with respect to commencement of CIRP of ATIL was made on 02.02.2019 and Form A was published in Financial Express (English), Jansatta in Delhi NCR &

DEVENDRA SINGH * IBBI/IPA-002/IP-N000001/2016-17/10001 * INSOLVENCY PROFESSIONAL

Chandigarh and Daily Chardhikala (Punjabi) in Patiala region on 02.02.2019.

4. That the shareholder of the Corporate Debtor, Alchemist Infra Ventures Ltd. filed an appeal before the Hon'ble NCLAT, New Delhi vide Company Appeal (AT) (Insolvency) No. 113 of 2019 against the admission order of Hon'ble NCLT, New Delhi dated 25.01.2019. In the hearing held on 12.02.2019 before the Hon'ble National Company Law Appellate Tribunal, New Delhi, the Appellant intended to settle the matter with the Respondent. On the request of the learned counsel for the appellant, the Hon'ble Adjudicating Authority gave direction to IRP that if no 'Committee of Creditors' have been constituted, the IRP will not constitute the Committee of Creditors until further orders. The matter listed for 01.03.2019 for further proceedings.

5. That in the hearing held on 01.03.2019, the Hon'ble NCLAT, New Delhi set aside the order of Hon'ble NCLT New Delhi dated 25.01.2019. The relevant part of the order is reproduced hereunder:

As per Para 6 of the order dated 01.03.2019

> *"order(s) passed by the Adjudicating Authority appointing 'Interim Resolution Professional', declaring moratorium, freezing of account, and all other order(s) passed by the Adjudicating Authority pursuant to impugned order and action, if any, taken by the 'Interim Resolution Professional', including the advertisement published in the newspaper calling for applications all such orders and actions are declared illegal and are set aside. The application preferred by Respondent under Section 7 of the I&B Code, 2016 is dismissed. Learned Adjudicating Authority will no close the proceeding. The Corporate Debtor' (Company) is released from all the rigour of law and is allowed to function independently through its Board of Directors from immediate effect."*



The Hon'ble Adjudicating Authority further ordered in its order dated 01.03.2019:

"However, we make it clear that the amount payable in favour of Respondent – 'Kiran Mallhotra'through cheque, if bounce or for one or other reason encashment not allowed, it will be open to Respondent – 'Kiran Malhotra' to revive the application under Section 7."

6. That the application bearing no. IA-4063(PB)/2020 filed by the Financial Creditor for the revival of the CP (IB) 1082(PB)/2018 based on the order dated 01.03.2019 passed by the Hon'ble Appellate Tribunal as the settlement was failed. In the hearing held on 01.10.2020, the Hon'ble NCLT Principal Bench, New Delhi allowed the application for revival of the original application CP (IB) 1082(PB)/2018 and directed the IRP to resume his duties and continue until he is replaced by another Insolvency Professional.

7. That the order dated 01.10.2020 passed by the Hon'ble NCLT, Principal Bench, New Delhi received by the IRP, Mr. Pramod Goel on 09.10.2020, accordingly he made general public announcement in the Financial Express, Jansatta in Delhi NCR & Chandigarh Edition and Daily Chardhikala (Punjabi) in Patiala edition on 12.10.2020 regarding the revival of the application CP(IB) No. 1082 (PB)/2018. The IRP accordingly, constituted the CoC and filed the report dated 15.10.2020 under Regulation 13 & 17 of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 before the Hon'ble NCLT Principal Bench, New Delhi.

8. That the Committee of Creditors in its first meeting held on 23.10.2020 approved the resolution for appointment of Mr. Devendra Singh, undersigned, having IBBI Registration No. IBBI/IPA-002/IP-N00001/2016-

DEVENDRA SINGH INSOLVENCY PROFESSIONAL IBBI/IPA-002/IP-N00001/2016-17/10001

17/10001 to act as Resolution Professional in the matter. The Hon'ble NCLT, Principal Bench, New Delhi vide its order dated 24.11.2020 appointed Mr. Devendra Singh as Resolution Professional of Alchemist Township India Limited, Corporate Debtor.

9. That the copy of the order dated 24.11.2020 passed by the Hon'ble NCLT, New Delhi Principal Bench, was received on 03.12.2020 by the undersigned from the erstwhile IRP. The same was also available on the website of Hon'ble NCLT on 03.12.2020. That the RP published the General Public Announcement on 10.12.2020 in Business Standard, Hindi & English in all India edition intimating the public at large about the revival of CIRP against the Corporate Debtor with effect from 01.10.2020 and appointment of undersigned as Resolution Professional by the Hon'ble NCLT, Principal Bench, New Delhi.

10. The Resolution Professional filed the Second Progress Report on 28.12.2020 and Third Progress Report on 27.02.2021 and apprising the Hon'ble NCLT, New Delhi for the progress in the matter.

11. That the intimation was sent by Resolution Professional to Ms. Rakesh Verma regarding her nomination as the choice by highest number and voting of Homebuyers of Authorized Representative under Regulation 16A of Insolvency and Bankruptcy Board of India (Insolvency Resolution Process For Corporate Persons) Regulation, 2016 Read with Section 25A of the IBC, 2016 on 01.03.2021 .



12. Thereafter, on 28.02.2021, the undersigned prepared and filed the updated list of creditors for the verified and admitted claims before the Hon'ble NCLT, New Delhi and alos uploaded the same on the website of the Corporate Debtor.

13. That the Application was filed on 06.03.2021 before Hon'ble NCLT, Principal Bench, New Delhi under Section 60(5) of IBC, 2016 read with Regulation 16(A) of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulation, 2016 seeking the approval for the appointment of Ms. Rakesh Verma as Authorized Representative for financial creditors in a class.

14. The Resolution Professional issued a letter to Bengal Aerotropolis Project Limited (BAPL) on 06.03.2021 for providing the control and custody of the Land belonging to the Corporate Debtor which is situated at Andal, Durgapur, West Bengal. Copy of letter dated 06.03.2021 is enclosed as **Annexure-1.**

15. The Resolution Professional sent intimation to HDFC Bank, Balasore Branch for getting the statement of account and operational status on 06.03.2021.

16. The Resolution Professional issued and circulated a notice dated 09.03.2021 for recall of loan and for payment of outstanding amount of Rs. 16,10,21,76,275/- including the interest upto 28.02.2021 by the Technology Parks Limited which has been due, payable and remains unpaid till date was sent and was intimated to them that if the loan amount is not paid within seven days then legal proceeding will be

DEVENDRA SINGH * INSOLVENCY PROFESSIONAL * IBBI/IPA-002/ IP-N000111/ 2016-17/ 10001

initiated including moving an application u/s 7 of IBC,2016. Copy of demand notice issued on 09.03.2021 is enclosed as **Annexure-2.**

17. On 10.03.2021, a notice was sent to Mr Sandeep Sethi for payment of outstanding dues of Rs.50,00,000/- owed by him to Alchemist Township India Limited (ATIL) by the undersigned. Copy of notice dated 10.3.2021 is enclosed as **Annexure-3.**

18. That the Resolution Professional sent a mail to banks of Corporate Debtor for providing the statement of account from 01.04.2017 to 01.10.2020 in Excel Format which is required by the Transaction Auditor of ATIL in respect of the Transaction Audit.

19. Thereafter, on 12.03.2021, an application was filed before Hon'ble NCLT, Principal Bench, New Delhi under Section 19(2) of IBC, 2016 seeking necessary direction against the Enforcement Directorate for release of documents seized by ED from the office of the corporate debtor on 19.09.2019. Copy of the application filed under Section 19(2) of IBC, 2016 is enclosed as **Annexure-4.**

20. The undersigned on 19.03.2021, wrote a letter to Bengal Aerotropolis Project Limited (BAPL) for updating the name of the Resolution Professional in the official record of BAPL in pursuant to ongoing CIR Process of ATIL and meeting held between RP and Mr. Suman Ray and Mr. Arun K. Das. Copy of letter dated 19.03.2021 is enclosed as **Annexure-5.**

21. That the undersigned has sent the Notice of Third Meeting of Committee of Creditors('CoC/Committee') along with agenda and



Explanatory Statement to the members of CoC and to other participants on 19.03.2021. The copy of Notice of Third meeting of CoC is enclosed and marked as **Annexure-6.**

22. That the Third meeting of Committee of Creditors was held on 22.03.2021 and in compliance with regulation 24 (7) of the Insolvency and Bankruptcy Board Of India, (Insolvency Resolution Process for Corporate Persons) Regulations, 2016, the undersigned circulated the minutes of the Third Meeting of CoC on 24.03.2021.The copy of minutes of the Third meeting of CoC is enclosed and marked as **Annexure-7.**

23. It is further informed that the pursuant to holding the third meeting of CoC on 22.03.2021, keeping in mind, the large number of stakeholders involved and technical challenge being faced by the undersigned, the SMS based e-voting portal was set up for which the voting lines were operational from Sunday, 28th March, 2021 at 10:00 A.M to Tuesday 6th April, 2021 at 03:00 P.M. In compliance with Regulation 26 (5) of the Insolvency and Bankruptcy Board of India, (Insolvency Resolution Process for Corporate Persons) Regulations, 2016, the Resolution Professional circulated the summary record of e-voting on the resolution proposed in the Third meeting of CoC held on 22.03.2021. The copy of the summary record of E-voting dated 06.04.2021 along with the report of E-voting downloaded from the website of Technovus Solutions are enclosed and marked as **Annexure-8.**

24. That the C.P. No. 1082(PB)/2018 filed by the undersigned on 06.03.2021 u/s 60(5) of IBC 2016 read with Regulation 16(A) of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate

DEVENDRA SINGH INSOLVENCY PROFESSIONAL IBBI/IPA-002/ IP-N000001/ 2016-17/ 10001

Persons) regulations, 2016 for the appointment of Ms. Rakesh verma having IBBI Regn. No. IBBI/IPA- 001/IP-P-01814/2019-2020/12794 as Authorized Representative was listed before this Hon'ble Tribunal on 23.03.2021, wherein this Hon'ble Tribunal allowed the appointment of Ms. Rakesh Verma as Authorized Representative. Copy of Order dated 23.03.2021 is enclosed as **Annexure-9.**

25. The undersigned, as per the eligibility criteria already passed in Second CoC meeting held on 21.12.2020 re-published Form-G on 10.04.2021 for inviting Expression of Interest ("EOI") from Prospective Resolution Applicants for submission of Resolution Plan in the Insolvency Resolution of the Corporate Debtor in Business Standard (English + Hindi), all Editions. The relevant Timeline in the insolvency resolution process of the corporate debtor are as under:-

RELEVANT DATES IN THE INSOLVENCY RESOLUTION OF THE CORPORATE DEBTOR		
1.	Date of invitation of expression of interest	10.04.2021
2.	Last date for receipt of expression of interest	10.05.2021
3.	Date of issue of provisional list of prospective	20.05.2021
4.	Last date for submission of objections to	25.05.2021
5.	Date of issue of final list of prospective resolution	04.06.2021
6.	Date of issue of information memorandum, evaluation matrix and request for resolution plans to prospective resolution applicants	25.05.2021
7.	Last date for submission of resolution plans	24.06.2021

The copy of Form – G published in the Business Standard (English & Hindi), All Edition on 10.04.2021 is enclosed and marked as **Annexure-10.**

26. It is further informed that Corporate Insolvency Resolution period in the instant matter was ending on 07.04.2021 and accordingly, the undersigned preferred an application having CP No. 103/74(3)/ND/2019 in terms of Section 12(2) of the Insolvency and Bankruptcy Code, 2016 read with Regulations 40 of the and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016

DEVENDRA SINGH ★ INSOLVENCY PROFESSIONAL ★ IBBI/IPA-002/IP-N000077/2016-17/10001

seeking extension of time limit of Resolution Process by 90 days. The said CP number 103/74(3)/ND/2019 was listed before this Hon'ble Tribunal on 13.04.2021, wherein this Hon'ble Tribunal extended the CIRP period for another 90 days w.e.f. 07.04.2021 for completion of CIR Process of the instant matter. Copy of order dated 13.04.2021 passed by this Hon'ble Tribunal is enclosed as **Annexure-11.**

REGARDING THE STAKEHOLDERS CLAIMS

27. That the RP received huge number of claims in Form CA from Financial creditors in class of the Corporate Debtor. That till 17.05.2021 (Time:12:46 PM), the RP has received total 4,68,818 number of emails out of which 3,49,448 number of claims have been collated and verified upto 12.05.2021. Due to voluminous claim data being received on a daily basis, the verification and updation of claim is a rigorous and dynamic process. Resolution Professional is verifying the list on a regular basis and subsequent data/ list shall be modified and will be placed and filed before this Hon'ble Tribunal on regular basis.

28. That it is pertinent to note that the financial creditors in a class as observed by the RP belongs to very poor class such as labourers, farmers, vegetable vendors, shopkeepers and they are not educated fraternity of the society. They are filing their claims through intermediaries such as agents etc. and huge number of claims is being sent through common email ID's. It was also found by the RP that although these financial creditors in a class are so called homebuyers category but alongwith their claims Form in CA they are attaching the proof of their claim as their KYC documents and acknowledgement for their application where certain details are mentioned such as date of application, relevant period, date of cessation of offer and refund amount etc. It was communicated to the stakeholders by the

DEVENDRA SINGH
IBBI/IPA-002/IP-N000001/2016-17/10001
INSOLVENCY PROFESSIONAL

undersigned that keeping in view bulk data and communications being received, each and every stakeholder was requested to generate their unique email account and provide mobile number in order to be a part of the vote casting process through which crucial decisions in the CIRP of Alchemist Township India Limited will be taken and required to be approved by committee. Further it was also communicated to the stakeholders that in absence to the same, the RP will not be in position to grant necessary voting right to the stakeholders as by using a single email account for various stakeholders may lead to unfair voting practice.

29. That the erstwhile Interim Resolution Professional filed an application under Section 19(2) of IBC, 2016 against the Corporate Debtor on 12.11.2020. The matter was heard on 08.12.2020, 04.01.2021, 15.02.2021 & 30.03.2021 before the Hon'ble NCLT, Principal Bench, New Delhi. The next date was 04.05.2021 but due to pandemic situation, the matter could not be heard on 04.05.2021.

30. The undersigned has till date has verified and circulated the list of creditors as per the details stated below :

Sl. No.	List No.	Amount Claimed	Amount Admitted	No of Claimants
1	List 1	22,75,701	20,25,000	3
2	List 2	1,26,80,72,958	74,44,90,232	10,394
3	List 3	1,25,22,95,674	59,93,85,917	11,892
4	List 4	1,24,12,95,350	53,54,51,145	11,390
5	List 5	2,14,85,46,755	96,26,84,944	20,434
6	List 6	1,58,31,58,000	67,22,91,802	15,766
7	List 7	1,61,03,32,242	72,76,98,846	14,844
8	List 8	1,11,65,47,778	50,72,20,699	10,005
9	List 9	1,12,68,31,908	49,14,70,864	11,212

DEVENDRA SINGH ★ INSOLVENCY PROFESSIONAL ★ IBBI/IPA-002/IP-N00001/2016-17/10001

10	List 10	1,15,63,80,880	46,54,18,624	11,321
11	List 11	96,94,00,723	35,18,54,380	8,742
12	List 12	1,21,01,57,821	45,85,36,082	11,162
13	List 13	1,14,82,57,815	48,00,98,156	10,591
14	List 14	1,12,04,05,473	45,40,44,560	11,006
15	List 15	1,16,31,56,228	48,44,61,733	11,396
16	List 16	99,94,18,149	42,56,14,452	9,734
17	List 17	1,23,23,94,586	47,94,58,493	11,978
18	List 18	1,88,36,20,569	73,40,06,355	17,637
19	List 19	1,27,06,61,060	47,13,39,128	11,874
20	List 20	91,50,75,468	37,69,06,271	8,525
21	List 21	1,15,20,56,208	48,40,81,716	9,775
22	List 22	1,29,20,50,207	53,75,63,498	12,218
23	List 23	1,32,84,67,160	53,40,82,238	12,835
24	List 24	1,32,96,77,780	55,86,08,204	12,695
25	List 25	1,08,06,94,513	47,75,57,695	10,517
26	List 26	1,27,36,63,830	48,35,75,921	12,143
27	List 27	1,35,52,87,532	55,88,01,071	12,291
28	List 28	1,29,02,81,060	52,31,84,530	12,130
29	List 29	1,24,35,79,537	49,21,29,838	12,489
30	List 30	1,34,95,15,598	51,37,68,361	12,449
Total		**37,11,35,58,564**	**15,58,78,10,754**	**3,49,448**

31. That the Resolution Professional filed the updated list of creditors and report under Regulation 13(2)(d) read with Regulation 14(2) of Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 on 18.05.2021. Accordingly, the report certifying the re-constitution of committee of creditors in compliance with Regulation 17 of Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 also filed before this Hon'ble NCLT, New Delhi on 18.05.2021.



32. That the Resolution Professional issued recall notice and other demand letters to Technology Parks Limited from whom amount of Rs. 1610.22 Crore recoverable. The Resolution Professional filed the application on 17.05.2021 under Section 7 of IBC, 2016 before the Hon'ble NCLT, New Delhi for initiation of Corporate Insolvency Resolution Process in the matter of Technology Parks Limited.

33. Thereafter on 17.05.2021, an application was filed before Hon'ble NCLT, Principal Bench, New Delhi under Section 7 of IBC, 2016 for initiate Corporate Insolvency Resolution Process in the matter of Technology Parks Limited. Copy of the application filed under Section 7 of IBC, 2016 is enclosed as **Annexure-12.**



DEVENDRA SINGH
Resolution Professional
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Tower - 2, **Plot No** : GH-03, Sector-CHI-04,
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Office At: D-54, FF, Defence Colony, New Delhi - 110024
Email Id:-dev_singh2006@yahoo.com; atil.cirp@gmail.com;
Mob-9810331877, 9810339416

PLACE: New Delhi
DATED: 18.05.2021

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.....Corporate Debtor

AND IN THE MATTER OF:

Devendra Singh

..... Resolution Professional

AFFIDAVIT

I, Devendra Singh, S/o Late Sh. Daryao Singh, aged about 55 years, R/o- ATS Greens Paradiso, Flat No: 02054, Tower - 2, Plot No : GH-03, Sector-CHI-04,Greater Noida, Uttar Pradesh, 201308 and registered with IBBI as Insolvency Professional, having enrolment no. IBBI/IPA-002/IP-N00001/2016-17/10001, do hereby solemnly affirm and state as follows:

1. That I am acting as Resolution Professional (RP) in the Corporate Insolvency Resolution Process (CIRP) of Alchemist Township India Limited (ATIL) "Corporate Debtor" pursuant to the order dated 24.11.2020 in **C.P. NO. (IB)-1082/PB/2018** passed by the Hon'ble National Company Law Tribunal ("NCLT") New Delhi Bench,.

2. That I am filing the instant progress report for the consideration of the Hon'ble Adjudicating Authority.

3. That the facts stated above are based on the progress of the matter, till date, are true to best of my knowledge.

DEPONENT

VERIFICATION

I, the above named Deponent, do hereby state that the paragraphs 1 to 3 of instant affidavit are true and correct to my own knowledge. No part of it is false and nothing material is concealed therefrom.

Verified at New Delhi on this 18th day of May, 2021.

DEPONENT