# 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)

 05.07.2021

**From :**

[Name and address of the financial creditor, including address of its registered office and principal office]

Name of First Applicant :

Name of Second Applicant (if any) :

Address :

To

The Resolution Professional

Mr. A. Viswanadha Sarma

(IP-Regn.No.:IBBI/IPA-001/IP-P-01524/2018-2019/12396)

Address:
Deloitte Touche Tohmatsu India LLP,

7th Floor, Building 10, Tower B,  DLF Cyber City, Phase II, Gurgaon, Haryana -122002

**Email:** inpisplip@deloitte.com

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

Madam/Sir,

I/We, Name of First Owner and Name of 2nd Owner, hereby submits this claim in respect of the corporate insolvency resolution process of **PIYUSH IT SOLUTIONS PRIVATE LIMITED.** The details for the same are set out below:

|  |
| --- |
|  RELEVANT PARTICULARS  |
| 1.  | Name of the financial creditor  |  | Name of First Owner  |  |
| Name of 2nd Owner (if any) |  |
| 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)  | PAN & AADHAAR (OF ALL THE ALLOTTEES NEEDS TO BE MENTIONED)  |  |   |
|  |
|  |
| 3.  | Address and e-mail address of the financial creditor for correspondence.  |  | Address of First Owner :  |   |
| Mobile No: |   |
| Email: |   |
|   |
| Address of Second Owner: |   |
| Mobile No: |   |
| Email:  |   |
| 4.  | Total amount of claim (in Rs.)  | 1. Amount Paid to Piyush IT Solutions Private Limited against Demand Raised - Rs. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Rs in words )
2. Simple Interest Amount @ 8% P.A. on 1 above from the date of payment to insolvency commencement date i.e. 28th October 2020 – Rs. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Rs in words )

**TOTAL AMOUNT OF CLAIM (1+2) =Rs \_\_\_\_\_\_\_\_\_\_/-** (Rs in words \_\_\_\_\_\_\_\_\_\_\_\_)  **REFER INSOLVENCY CLAIM CALCULATION** **SHEET**   |
| 5.  | Details of documents by reference to which the debt can be substantiated  | 1. Aadhaar Card & Pan Card (of all the allottees)
2. Allotment Letter dated \_\_\_\_\_\_\_\_
3. Apartment Buyer Agreement dated \_\_\_\_\_\_\_\_\_
4. Payment Receipts and/or Ledger Statement from Piyush IT Solutions Private Limited
5. Insolvency Claim Calculation Sheet @ 8% P.A.
6. Home Loan Agreement, in case of Home Loan
7. Court Order, if any
8. Other Documents, if any

**(Delete whatever is not applicable or attached)** |
| 6.  | Details of how and when debt incurred  | I have booked a Flat No. \_\_\_\_ in Tower-\_\_ Floor- \_\_ vide Allotment letter dated \_\_\_\_ and Apartment Buyer Agreement dated \_\_\_\_. As against the total consideration of Rs\_\_\_\_\_\_, which has to be paid over a period of time as per payment plan, I have till date paid a sum of **Rs \_\_\_\_\_\_ (Rs \_\_\_\_\_\_\_ Only)** including taxes to the company/builder till date. After adding interest @ 8% of Rs \_\_\_\_\_\_\_\_\_\_\_ (Rs \_\_\_\_\_\_ Only), **Total Claim Amount** is **Rs \_\_\_\_ (Rs \_\_\_\_\_\_\_ Only).** |
| 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  | NOT APPLICABLE  |
| 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  |  | CLAIMNANTS |   |
| Name As per Bank Account |   |
| Account No: Bank Name: IFSC CODE:  | XXXXXXXXXX |   |
| XXXXXXXXXX  |
| XXXXXXXXXX |
| 10.  | List of documents attached to this claim in order to prove the existence and non-payment of claim due  |  Same as detailed in Sr.No. 5 |
| 11.  | Name of the insolvency professional who will act as the Authorized representative of creditors of the class  | Mr. Pawan Kumar Goyal  |

|  |
| --- |
| 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]  **Signature Signature**  |
|   |
| Name in **BLOCK LETTERS**  | Name of First and 2nd Owner |   |
|  Position with or in relation to creditor: **SELF** (In case of Allottees signing himself / themselves) OR **Authorized Representative** (In case of some one else is signing the Form) |
|  Address of person signing Address of Buyer/s or Address of Authorised Representative  |

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

# DECLARATION

I/We, [Name of Buyer/s], currently residing at [Buyer/s address], do hereby declare and state as follows: -

1. PIYUSH IT SOLUTIONS PRIVATE LIMITED, the corporate debtor was, at the insolvency commencement date, being the 28th day of October 2020, actually indebted to me for a sum of Rs.\_\_\_\_\_\_\_\_\_\_\_\_ [Insert Total amount of claim, as specified in Sr.no. 4 above].
2. In respect of my claim of the said sum or any part thereof, I have relied on the documents specified below:

[List the Documents SAME AS SR.NO. 5].

1. 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.
2. 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**
3. I am not a related party of the corporate debtor, as defined under section 5 (24) of the Code.
4. 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.- **NOT APPLICABLE**

Date: 05.07.2021

Place:

 (Signature of the claimant)

**VERIFICATION**

I, [Name of Buyer/s (all home buyer)] the claimant hereinabove, 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 ……………..**(Insert Place)** on this 5th day of July, 2021

 (Signature of claimant)

[Note: In the case of company or limited liability partnership, the declaration and verification shall be made by the director/manager/secretary/designated partner and in the case of other entities, an officer authorized for the purpose by the entity.]