

To,

1. All homebuyers / Allottees of M/s AVP Buildtech Pvt. Ltd.
[as COC could not be constituted due to stay order dated 14.11.2019 passed by the Hon'ble NCLAT in Company Appeal (AT) No. 1244 & 1249 of 2019]
2. Promotor(s) of M/s AVP Buildtech Private Limited

SUBJECT: Notice of meeting of all homebuyers/ allottees of M/s AVP Buildtech Pvt Ltd. to be held of 26th July, 2020, Sunday at 4:00 pm, in term of direction of the Hon'ble NCLAT vide order dated 13.03.2020 in Company Appeal (AT) (Insolvency) No. 1244 & 1249 of 2019

REF:

- (1). Order dated 13.03.2020 passed by the Hon'ble National Company Law Appellate Tribunal, New Delhi, in in Company Appeal (AT) (Insolvency) No. 1244 of 2019 titled "*Shalini Singhal & Ors vs Rahul Singh & Ors*" and in Company Appeal (AT) (Insolvency) No. 1249 of 2019 titled "*Sanjeev Abrol vs Rahul Singh & Ors*"
- (2). Judgment dated 04.02.2020 passed by the Hon'ble NCLAT in Company Appeal (AT) (Insolvency) No. 926/2019 titled "Flat Buyer Association Winter Hills vs Umang Realtech Pvt. Ltd. through IRP & Ors"
- (3). Judgment dated 05.02.2020 passed by the Hon'ble NCLAT in Company Appeal (AT) (Insolvency) No. 1056/2019 titled "*Rajesh Goyal vs Babita Gupta & ors*"

Dear Sir,

The Hon'ble NCLAT vide order dated 13.03.2020 in Company Appeal (AT) (Insolvency) No. 1244 & 1249 of 2019 directed the undersigned to call a meeting of the 'Committee of Creditors' including the allottees to take a call on the question whether the matter can be resolved in the manner as settled in two (2) appeal [i.e. Company Appeal (AT) No. 926/2019 vide order dt 04.02.2020 and Company Appeal (AT) No. 1056/2019 vide order dt 05.02.2020] or by way of any other 'Terms of Settlement'. The relevant portion of the order is reproduced hereunder for ready reference:

"As no specific date has been fixed in the present appeal and the matter relates to allottees (flat/apartment owners) and many of the allottees claim to have taken possession, with a view to find out whether the matter can be sorted out in the light of the decision of this Appellate Tribunal in 'Flat Buyers Association Winter Hills - 77, Gurgaon" – Company Appeal (AT) (Insolvency) No. 926 of 2019 disposed of on 4th February, 2020 and 'Rajesh Goyal vs. Babita Gupta & Ors.' – Company Appeal (AT) (Insolvency) No. 1056 of 2019

disposed of on 5th February, 2020, we direct the 'Interim Resolution Professional'/'Resolution Professional' to call a meeting of the 'Committee of Creditors' including the allottees to take a call on the question whether the matter can be resolved in the manner as settled in the aforesaid two (2) appeals or by way of any other 'Terms of Settlement'. If such decision is taken by more than 50% of the allottees and/or 66% of the 'Committee of Creditors', the 'Terms of Settlement' be placed before this Appellate Tribunal.

We make it clear that in the meeting of the 'Committee of Creditors', 'Promoter' should be present to know the result of the voting share but will not take part in the voting. However, it will be open to the 'Promoter' to give a suggestion as to what amount he infused or he intends to infuse as a 'Financial Creditor' and not as a 'Promoter'."

It is relevant to mention here that vide order dated 14th November, 2019, passed by the Hon'ble NCLAT in Company Appeal (AT) (Insolvency) No. 1244 & 1249 of 2019, the undersigned was directed not to constitute the Committee of Creditors. The relevant portion of the order is reproduced hereunder for ready reference:

"Till next date, the Interim Resolution Professional will not make any publication calling for claims, if not yet made, nor constitute any Committee of Creditors, if not yet constituted. However, he will ensure that the Corporate Debtor remains a going concern and will take help of the Directors, Promoters, Company Appeal (AT) (Insolvency) No. 1244 of 2019 -3-Employees, Workmen, etc. for completion of the project/ one or other Tower."

Further, due to unprecedented pandemic of covid19 and lockdowns, the meeting in terms of the order dated 13.03.2020 could not call earlier. Accordingly, a meeting is schedule on 26.07.2020 (Sunday) at 4:00 pm to 6:00 pm on virtual conference in view of maintaining the social distance. Hence the 'Zoom Meeting' (on Zoom App through laptop / computer/ mobile or similar devices). The details of the same are as under:

AVP Buildtech Private Limited

Meeting under the instruction of Hon'ble NCLAT

All the allottees / financial creditors are invited to a scheduled Zoom meeting.

Kindly Join Zoom Meeting

<https://us02web.zoom.us/j/84472482931?pwd=R1VJV0lOQmNBMHovQUFmaU15enkVQT09>

Meeting ID: 844 7248 2931

Password: 217361

Date of Meeting: 26th July, 2020

Time of Meeting: 4:00 PM to 6:00 PM

All the homebuyers / allottees are invited for the meeting. Further, the promoters and directors of M/s AVP Buildtech Private Limited are also invited for the meeting, but will not take part in voting. Team AVP and IRP may also join the same. In the meeting, we will also discussed, we will also discuss the terms of settlement if any. Further, the promoter had requested to give some time provide the fresh settlement from his side for which the last date is 21st July, 2020. If we will receive any 'terms of settlement' from the promoters side, we will share the same to you by email immediately.

Thanks

Manish Kumar Gupta

Interim Resolution Professional of M/s AVP Buildtech Private Limited

Avpbuidtech.ip@gmail.com

Mobile : 9810771477

Attachment:

1. Order dated 13.03.2020 passed by the Hon'ble NCLAT, New Delhi, in Company Appeal (AT) (Insolvency) No. 1244 of 1249 of 2019
2. Judgement dated 04.02.2020 passed by the Hon'ble NCLAT in Company Appeal (AT) (Insolvency) No. 926/2019.
3. Judgement dated 05.02.2020 passed by the Hon'ble NCLAT in Company Appeal (AT) (Insolvency) No. 1056/2019.
4. Order dated 14.11.2019 passed by the Hon'ble NCLAT, New Delhi, in Company Appeal (AT) (Insolvency) No. 1244 of 2019

