

**BEFORE THE HON'BLE NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH-V, DELHI
Case No. C.P (IB) No. 582/ND/2020**

Section 9 of the Insolvency and Bankruptcy Code read with Rule 4 of Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016.

IN THE MATTER OF:

SPARTA GLOBAL PROJECTS PVT. LTD. Operational Creditor/Applicant

-Versus-

KUGD SERVICES PRIVATE LIMITED Corporate Debtor

Application under Sec 60(5) of IBC, 2016, to place on records the Constitution of Committee of Creditors and List of Creditors Version 1 as per the provision of the Insolvency and Bankruptcy Code, 2016.

INDEX

S. No.	Particulars	Pages
1	Memo of Parties	1
2	Constitution of Committee of Creditors (Annexure - A)	2 - 6
3	List of Creditor version 1 (Annexure - B)	7 - 18

Submitted By: -




DHARMENDRA KUMAR

Interim Resolution Professional

Registration No: IBBI/IPA-003/IP-N000112/2017-2018/11264

Email: kumard36@hotmail.com

Mobile: 9973603517

Place: New Delhi

Date: 16.11.2022

BEFORE THE HON'BLE NATIONAL COMPANY LAW TRIBUNAL

NEW DELHI BENCH-V, DELHI

Case No. C.P (IB) No. 582/ND/2020

(Under Section 9 of the Insolvency and Bankruptcy Code, 2016 and Rule 6 of Insolvency and Bankruptcy (Application to Adjudication to Authority) Rule 2016)

IN THE MATTER OF:

SPARTA GLOBAL PROJECTS PVT. LTD.
B-6, Sector-44, Noida, Gautam Buddha Nagar,
Uttar Pradesh - 201301
Email ID: spartasapl@gmail.com

**Operational Creditor/
Applicant**

-Versus-

KUGD SERVICES PRIVATE LIMITED
7, Khullar Farms, Mandi Road,
Megrauli, New Delhi - 110030

Corporate Debtor

AND IN THE MATTER OF:

Dharmendra Kumar
Interim Resolution Professional
In The Matter of M/s. KUGD Services Private Limited
Regd Add: 30, Tower-1, Supreme Enclave,
Mayur Vihar, Phase-I, New Delhi - 110091
Email ID: kumard36@hotmail.com
Mob: +91 74996980526

APPLICANT


APPLICANT



DHARMENDRA KUMAR
Interim Resolution Professional
In the Matter of KUGD Services Private Limited
Registration No: IBBI/IPA-003/IP-N000112/2017-2018/11264
Email: kumard36@hotmail.com
Mobile: 9973603517
Place: New Delhi
Date: 16.11.2022

2B

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL

NEW DELHI, BENCH-V

IA No _____ of 2022

IN

CP (IB) No. 582/ND/2020

IN THE MATTER OF:

SPARTA GLOBAL PROJECTS PVT. LTD.

Operational Creditor/
Applicant

-Versus-

KUGD SERVICES PRIVATE LIMITED

Corporate Debtor

AND IN THE MATTER OF:

Dharmendra Kumar

Interim Resolution Professional

In The Matter of M/s. KUGD Services Private Limited

Regd Add: 30, Tower-1, Supreme Enclave,

Mayur Vihar, Phase-I, New Delhi - 110091

Email Id : kumard36@hotmail.com

Mob: +91 74996980526

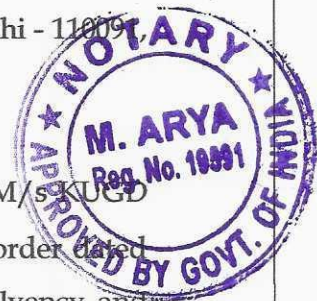
APPLICANT

Application under Sec 60(5) of IBC, 2016, to place on records the Constitution of Committee of Creditors and List of Creditors Version 1 as per the provision of the Insolvency and Bankruptcy Code, 2016.

AFFIDAVIT

I, Dharmendra Kumar, S/o Shiv Shankar Sharma, aged about 54 years acting as Interim Resolution Professional for M/s KUGD Services Private Limited, undergoing CIRP, having registered address at 30, Tower-1, Supreme Enclave, Mayur Vihar, Phase-I, New Delhi - 110091 do hereby solemnly affirm and declare on oath as under:

1. That I have been appointed as the Interim Resolution Professional for M/s KUGD Services Private Limited, by Hon'ble NCLT, New Delhi. Bench-V vide order dated 13.10.2022 and I am duly authorized under the provisions of the Insolvency and Bankruptcy Code, 2016, to file this application on behalf of M/s. KUGD Services Private Limited. Even otherwise, I am well conversant with the facts and circumstances of the case and hence competent to swear the present affidavit.
2. That I have read and understood the contents of the present accompanying Application which has been drafted by the Counsel under my instructions and I say



that the facts stated therein are true and correct to my knowledge based on the records, contents whereof are not repeated for the sake of brevity and may be read as part and parcel of this affidavit. No part of it is false and nothing material has been concealed there-from.



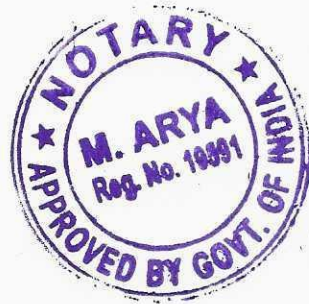
[Signature]
DEPONENT

VERIFICATION:

Verified at 16 NOV 2022 on 16 Day of NOV 2022, that the contents of paragraphs stated above are true and correct to my knowledge. No part of it is false and nothing material has been suppressed or concealed therefrom.



[Signature]
DEPONENT



[Signature]
ATTESTED
NOTARY PUBLIC

16 NOV 2022

BEFORE THE HON'BLE NATIONAL COMPANY LAW TRIBUNAL

NEW DELHI BENCH-V

Case No. C.P (IB) No. 582/ND/2020

Section 9 of the Insolvency and Bankruptcy Code read with Rule 4 of Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016.

IN THE MATTER OF:

SPARTA GLOBAL PROJECTS PVT. LTD.

Operational Creditor/Applicant

-Versus-

KUGD SERVICES PRIVATE LIMITED

Corporate Debtor

Reference: Report certifying constitution of a committee of creditors under Regulation 17(1) of Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 by **Mr. Dharmendra Kumar**, Interim Resolution Professional (IRP) under the Insolvency and Bankruptcy Code 2016.

An application under Section 9 of the Insolvency and Bankruptcy Code, 2016 read with Rule 4 of Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016 for initiation of Corporate Insolvency Resolution Process against **KUGD SERVICES PRIVATE LIMITED** was filed by **SPARTA GLOBAL PROJECTS PVT. LTD.** (Operational Creditor) before the Hon'ble National Company Law Tribunal, New Delhi, Bench-V the Adjudicating Authority vide order No. **CP(IB) 582/ND/2020** dated 13.10.2022 (CIRP Commencement Date) ordered for initiation of CIRP of the Corporate Debtor wherein Mr. Dharmendra Kumar, the undersigned Insolvency Professional was appointed as Interim Resolution Professional who is directed to take necessary actions in accordance with the relevant provisions of the Insolvency and Bankruptcy Code, 2016.

In Compliance with Regulation 17(1) of Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations 2016, a report certifying the constitution of Committee of Creditors is enclosed as **Annexure A** in quadruplicate.




DHARMENDRA KUMAR

Interim Resolution Professional

Registration No: IBBI/IPA-003/IP-N000112/2017-2018/11264

Email: kumard36@hotmail.com

Mobile: 9973603517

Place: New Delhi

Date: 16.11.2022

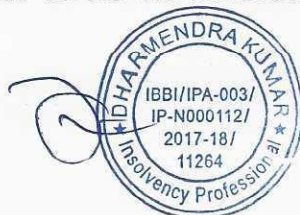
4

ANNEXURE A

REPORT CERTIFYING THE CONSTITUTION OF COMMITTEE OF CREDITORS

1. An application under Section 9 of the Insolvency and Bankruptcy Code, 2016 read with Rule 4 of Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016 for initiation of Corporate Insolvency Resolution Process against **KUGD SERVICES PRIVATE LIMITED** was filed by **SPARTA GLOBAL PROJECTS PVT. LTD.** formerly known as **SPARTA SECURITY AND ALLIED SOLUTIONS PVT. LTD.** (Operational Creditor) before the Hon'ble National Company Law Tribunal, New Delhi, Bench-V the Adjudicating Authority vide order No. **CP(IB) 582/ND/2020** dated 13.10.2022 (CIRP Commencement Date) ordered for initiation of CIRP of the Corporate Debtor wherein Mr. Dharmendra Kumar, the undersigned Insolvency Professional was appointed as Interim Resolution Professional ("IRP") who is directed to take necessary actions in accordance with the relevant provisions of the Insolvency and Bankruptcy Code, 2016.
2. The Registered office of **KUGD SERVICES PRIVATE LIMITED** (Corporate Debtor) as per MCA/ ROC Records is situated at 7, Khullar Farms, Mandi Road, Mehrauli, New Delhi - 110030.
3. The copy of order CP(IB) No. 582/ND/2020 dated 13.10.2022 was not serviced upon to the undersigned IRP and the copy was received on 17.10.2022. The IRP subsequent to the receipt of the intimation of his appointment immediately took action and coordinated with publication agencies.
4. In compliance with Section 13, Section 15 and other applicable sections of the code read with Regulation 6 and Regulation 12(1) of Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations 2016 (hereinafter called 'Regulations'), public announcement in Form-A was made in Financial Express (English) and Jansatta (Hindi), New Delhi Editions on 19.10.2022 intimating the public at large about the commencement of Corporate Insolvency Resolution Process against **KUGD SERVICES PRIVATE LIMITED** and calling the creditor to submit their claims along with the proof of claims.

As per the Public Announcement the last date of submission of claims was 29.10.2022.
5. Further, Regulation 12(2) of Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations 2016 provides that, a creditor, who fails to submit claim with proof within the time stipulated in the public announcement, may submit the claim with proof to the interim resolution professional or the resolution professional, as the case may be, on or before the ninetieth day of the insolvency commencement date.



6. No claims were submitted by the last date for receipt of claim as per Public Announcement i.e. 29.10.2022 as provided for under Regulation 12(1) of Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations 2016. Regulation 12(2) of Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations 2016 allows submission of claim with proof on or before the ninetieth day of the insolvency commencement date.

After several follows-ups with the creditors including the Financial Creditor based on the limited information available with the undersigned as per MCA records, no claims were received by the undersigned IRP except the claim from one of the Operational Creditor of the Corporate Debtor also the applicant in the main application CP(IB) No. 582/ND/2020 for initiation of CIRP against the CD.

The claim was submitted by the said Operational Creditor/ Applicant via email dated 14.11.2022 at 06:46 P.M. (I.S.T.). The IRP on receipt of the claim immediately verified, processed, and collated the claim(s) received based on the limited information, record, documents available as per MCA records.

7. Basing on the above-mentioned facts and circumstances of the case, this Hon'ble Adjudicating Authority is humbly requested to please condone the delay of 11 Days in filing the Constitution of Committee of Creditors.
8. The List of Creditors Version 1 is being filed with Hon'ble NCLT, New Delhi, Bench-V in compliance with Regulation 13(2)(d) of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations 2016.
9. In compliance with section 21(1) & (2) of the Code, the undersigned Interim Resolution Professional certifies the constitution of the Committee of Creditors which consists of the following creditors:

A. Members (With Voting Rights)

Sr. No.	Name of the creditor	Amount Claimed (Rs.)	Claim Admitted (Rs.)	Voting Right and Percentage of Aggregate Dues (%)
1	Sparta Global Projects Private Limited	40,12,718	39,94,510	100%

(including Operational Creditors being the sole claimant and having aggregate dues of at least 10% of the debt)



Note:

- a. Due to non-availability of the financial statements and other relevant records of the Corporate Debtor for the Financial Year 2018-19 and onwards till the CIRP initiation date i.e. 13.10.2022. The claim(s) have been admitted provisionally based on NCLT order and documents submitted for substantiation of the claim and are subject to further verification and modification.
- b. Related party have not been included.



DHARMENDRA KUMAR

Interim Resolution Professional

In the matter of **KUGD SERVICES PRIVATE LIMITED**

Registration No: IBBI/IPA-003/IP-N000112/2017-2018/11264

Email: kumard36@hotmail.com

Mobile: 9973603517

Place: New Delhi

Date: 16.11.2022

7

BEFORE THE HON'BLE NATIONAL COMPANY LAW TRIBUNAL

NEW DELHI BENCH-V, DELHI

Case No. C.P (IB) No. 582/ND/2020

(Under Section 9 of the Insolvency and Bankruptcy Code, 2016 and Rule 6 of Insolvency and Bankruptcy (Application to Adjudication to Authority) Rule 2016)

IN THE MATTER OF:

SPARTA GLOBAL PROJECTS PVT. LTD.

Operational Creditor/Applicant

-Versus-

KUGD SERVICES PRIVATE LIMITED

Corporate Debtor

List of Creditors under Regulation 13(2)(d) of the IBBI (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 by Mr. Dharmendra Kumar, Interim Resolution Professional under the Insolvency and Bankruptcy Code, 2016

1. The application for Corporate Insolvency Resolution Process filed by **SPARTA GLOBAL PROJECTS PVT. LTD.** (Operational Creditor) under Section 9 of the Insolvency and Bankruptcy Code, 2016 read with Rule 4 of Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules 2016 was admitted by NCLT New Delhi, Bench-V vide order in CP (IB) No. 582/ND/2020 dated 13.10.2022 (CIRP Commencement Date) order copy received on 17.10.2022 wherein **Mr. Dharmendra Kumar**, the undersigned was appointed as Interim Resolution Professional who is directed to take necessary actions in accordance with the relevant provisions of the Insolvency and Bankruptcy Board of India.
2. In compliance with Regulation 13(2)(d), 12(2) and 14(2) of Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulation 2016, an updated List of Creditors uptill 16th November, 2022 along with amount claimed, claims admitted, security interest (if any) in respect of claims is enclosed at:
 - Form B - Operational Creditors
 - Form C - Financial Creditors
 - Form CA - Class of Creditors (As Per Regulation 8a)



Form D & E - Employees/Workmen Creditors

Form F - Other than Operational Creditors and Financial Creditors



DHARMENDRA KUMAR

Interim Resolution Professional

Registration No: IBBI/IPA-003/IP-N000112/2017-2018/11264

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Place: New Delhi

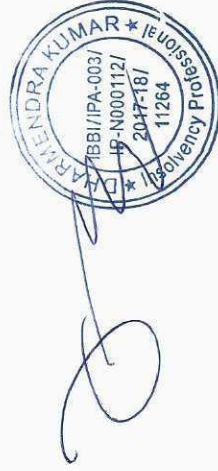
Date: 16.11.2022

Name of the Corporate Debtor: KUGD Services Pvt. Ltd ; Date of Commencement of CIRP: 13.10.2022; List as on : 16.11.2022

Sl No.	Category of Creditor	Filing under clause (ca) of sub-regulation (2) of regulation 13 the IBBI (Insolvency Resolution Process for Corporate Persons) Regulations, 2016									Remarks, if any
		Summary of claims received		Summary of claims admitted		Amount of Claims not admitted	Amount of claims under verification	Details in Annexure	Amount of Contingent Claim	Amount of claims not admitted	
		No. of Claims	Amount	No. of Claims	Amount of claims admitted						
1	Secured Financial Creditors belonging to any class of creditors	NIL	NIL	NIL	NIL	NIL	NIL	Annexure-1	NIL		
2	Unsecured Financial Creditors belonging to any class of creditors	NIL	NIL	NIL	NIL	NIL	NIL	Annexure-2	NIL		
3	Secured Financial Creditors (other than financial creditors belonging to any class of creditors)	NIL	NIL	NIL	NIL	NIL	NIL	Annexure-3	NIL		
4	Unsecured Financial Creditors (other than financial creditors belonging to any class of creditors)	NIL	NIL	NIL	NIL	NIL	NIL	Annexure-4	NIL		
5	Operational Creditors (Workmen)	NIL	NIL	NIL	NIL	NIL	NIL	Annexure-5	NIL		
6	Operational Creditors (Employees)	NIL	NIL	NIL	NIL	NIL	NIL	Annexure-6	NIL		
7	Operational Creditors (Government Dues)	NIL	NIL	NIL	NIL	NIL	NIL	Annexure-7	NIL		
8	Operational Creditors (Other than Workmen and Employees and Government Dues)	1	40,12,718	1	39,94,510			Annexure-8	NIL		
9	Other Creditors, if any (Other than financial Creditors and operational creditors)		NIL		NIL			Annexure-9	NIL		
	TOTAL	1	40,12,718	1	39,94,510				-		

Note : List of creditors is subject to revision/further verification on subsequent receipt of further information/ details/records.

The claims have been admitted provisionally due to non-availability of financial and other records and are subject to change.



(Handwritten signature)

Annexure-8 Name of the Corporate Debtor: KUGD Services Pvt. Ltd ; Date of Commencement of CIRP: 13.10.2022; List as on : 16.11.2022 List of operational creditors (Other than Workmen and Employees and Government Dues)															
Sl No.	Name of Creditor	Date of receipt		Date of Claim received		Amount of claim admitted	Nature of claim	Details of Claims Admitted			Amount of contingent claim	Amount of any mutual dues, that	Amount of claim not admitted	Amount of Claim under Verification	Remarks, if any
								Amount covered by security interest	Amount covered by guarantee	Whether related party?					
1	SPARTA GLOBAL PROJECTS PVT. LTD.	14-11-2022	40,12,718	14-11-2022	40,12,718	39,94,510	Supplier of Goods	NIL	NIL	NO	N/A	18,208	-	Interest charged by the claimant upto 04/11/2022, Interest Recalculated and admitted upto 13/10/2022. The claimant is also the Applicant in the matter. The claim was received on 14.11.2022 at 06:46 P.M.	
					TOTAL	40,12,718	39,94,510						18,208		

Note : List of creditors is subject to revision/further verification in subsequent receipt of further information/ details/records

SHAIKENDRA KUMAR
IBBI/HPA-0031
IP-N0001121
2017/18/126A
Insolvency Professional, Agency P. No. 126A

