

Sub: REFRESH YOUR MEMORIES

Friends I went through the mails which broke the silence and thought it's right time to refresh your memories:-

- On **21.01.2014** a group of investors got together and raised voice against present defunct Promoters of ANB. (<https://www.youtube.com/watch?v=NuQS-VYA2pQ>)
- We all together formed an Association Spire Edge Allottees Association (SEAA).
- Our movement was then suppressed by framing false case of Rape against one of the core members of this association Mr. Anuj Arora; fortunately I was present in Police Station when Anuj was called in for interrogation at Gurgaon Police Station.
- The working members of SEAA were then offered heavy incentives to rope in all of us to register our units; no doubt some of us fell into trap others revolted and finally those who then registered their units in terms and conditions of Defunct Promoters were also betrayed of the promises made to them.

Just imagine to what extent these defunct promoters backing plan B can go to suppress our voice and back track on their promises.

- On **18.11.2014** in DHC, the case being CO.PET. 704/2014 was filed. Friends from above incident a Group of 54 (non-registered Investors) came into action. They appointed Advocate T.K Ganju whose wife was among said 54 investors and filed a civil case under various sections of Company Act. Their prayer was simple and was to recover pending Assured Returns amounting to Rs 1.24 Cr.
- Thereafter in accordance to Court Direction number of attempts were made by this group of 54 to site for mediation with Defunct Promoters, all efforts failed.

Yes the Promoters of Group perusing Plan B had guts to defy court's direction for their own benefit and ultimate goal of taking the Company into Liquidation.

- On **14.09.2015** Hon'ble High Court seeing that the Defunct Promoters were not reacting to mediation passed an order that in this case as no settlement is arrived at, the respondent (H&G) have to deposit Rs 75 Lakhs to show their bonafides and all directors Managing Directors of ANB to file affidavits or be personally present on next date of hearing.

Next date of hearing was fixed for 08.03.2016.

- On **08.03.2016** neither Hooda nor Gandhi nor director of Fund nor any of the Defunct Directors managing affairs of ANB appeared in DHC nor did they file any Affidavit nor Rs. 75 Lac was deposited to show their bonafideeness, instead court was informed by H&G Advocates T.Singhla that from ANB all Directors have resigned.
- On this Hon'ble Judge asked the Advocates as to on whose 'Wakalat Nama' or instruction H&G Advocates were acting or appearing in the Court. Advocates were given some time to get in touch with their client and come with a reply within ½ an hour otherwise Provisional Liquidator would be nominated to safeguard the affairs of the orphan (लावारिस) Company. The Advocates came back with no reply.

This is a small brief as to how Provisional Liquidator was handed over the charge of ANB. Please note if Hooda & Gandhi had any plan other than Liquidation they could have come forward filed an appeal against the appointment of Provisional Liquidator.

- Later during on our personal investigation we found through credible evidence that Senior Advocate T.K Ganju representing Group of 54 investors had secretly in his personal capacity compromised and through a crony of Hooda and Gandhi received about Rs 50 Lac.

- On **01.06.2016** after three months of appointment of PL by the Hon'ble DHC came revival plan filed by SWBA & FOSIA.
- This Plan initially consisted of remedies for Spire Woods investors and was submitted in the Hon'ble High Court.
- We the Spire Edge investors intervened and demanded for an amendment with our issues and demand to be incorporated.
- Within 15 to 20 days amended Revival Plan was submitted in DHC for consideration.

For your information this Plan now called Revival Plan A is backed by :

- a) M/s B.L Gupta Constructions Pvt. Ltd (Contractor), who is not an unknown identity they are the person who have constructed the building which you see today. They are also in the list of creditor to the tune of 10 Cr. They stopped their work as they were not been paid by the defunct promoters H&G. Like us they have also filed for their claim in the Hon'ble High Court and thereby fighting legal battle against ANB.
- b) Viridian Development Managers Pvt. Limited, is again not an unknown identity, they are the architect and designer of the building which you see today. Their team of management facilitated the entire construction activity.
- c) 3 Brokers, Madhyam Estate Linkers Pvt. Ltd, Investors Clinic, Infratec P Ltd & Whoo Realty P Ltd. Are all well known figures in their field of bringing in investment. And
- d) FOSECA

Now let us proceed forward to refresh further memories:-

- **June 2016** after the revival plan A was submitted in DHC, at grievance meeting chaired by Chief Minister of Haryana, Customers of Spire Edge investors were manhandled by goons of Defunct Promoters.

Please note this act was another attempt by H&G to suppress freshly evolving mass movement of aggrieved investors to recover their money.

- On **18.07.2016** i.e. a month after Group backing Revival Plan A was submitted in DHC revival plan backed by H&G came into limelight this Plan is now called Revival Plan B.
- For information to all that we the investors of Spire Edge tried our level best to get the said Plan B Amended, but unfortunately all our efforts failed. We wanted certain clause like Clause No. j Page No 41 which says *"After sanction of the revival Scheme all litigation, arbitration, claims, demands, disputes, FIRS's, complaints etc of any nature whatsoever, filed by the existing allottees of Spire Edge, other customers, association of unit allottees,in respect of Spire Edge Project/part thereof shall stand settled in terms of revival Scheme, and concern Parties shall withdraw the cases litigations, claims, demands, disputes, FIRs, complaints of any nature whatsoever, filled by them."* And More attention/funds for Tower BCD etc,
- Further on Defunct Promoter's Revival Plan Provisional Liquidator has filed its comment and has stated this Plan to be an attempt to further strip remaining assets of company and that the said proposed scheme does not have any interest for aggrieved investors etc.
- Thereafter number of hearings took place.
- FOSECA & SWBA appointed Very Senior lawyer Soli Srabjee to represent their case of Revival.

one sided game and handed over sweet 'बाबाजी का दुल्हू' in our hand.

- On **20/12/2016** during Hon'ble High Court Hearing Group heading Revival Plan A submitted road map with Fund as well as availability of technology to kick start the so projected to be a sick project by H&G. This Road map is there in your/investors domain, which clearly spells out matter of arrangement of funds, technology and experience company M/s Viridian Development Managers Pvt. Limited to be backing Revival Plan A.

There is no game plan of hide and seek whereas in Revival Plan B, the new promoter Halwasia has not yet submitted his MOU nor has he personally appeared anywhere or taken we the investors at large in confidence.

- On **20/12/2016** during the process of hearing another sham of H&G was revealed by one of the Spire Edge Investor Mr. P.T Sharma by intervening the court proceeding on the question of area of the project projected by H&G to be much lower than the actual Area. On this it can only be said 'चोर चोरी से जाये पर हेरा फेरी से न जाये'.
- Seeing difference in projected Area and thereby value of ANB assets, Justice Sidharth Mirdual directed both Parties of Revival A & B to submit valuations report sought from approved valuer.
- On **15/01/2017** we all met in DHC; Group of Plan A submitted the Valuation report as directed by the Court, Group of Plan B again defied the Hon'ble courts direction and failed to submit Valuation report. Probably Group of Plan B knew what was coming up i.e. a new chapter was opened by Group C i.e. Liquidation Group or by Fund's Advocate who tabled this new chapter is not clear to me but the chapter was on to transfer all proceedings of Liquidation to NCLT i.e. National Company Law Tribunal as per U/sec 408 of Comp Act 2013 (18 of 2013) which legally came in effect from 1st June 2016.
- On this Justice Sidharth Mirdual stopped all proceedings and fixed next date for 09.03.2017 to discuss and decide on the jurisdiction of the ongoing matter.
- On **09.03.2017** Hon'ble Justice was absent. Next date fixed was 15/03/2017.
- On **15/03/2017** matter of jurisdiction was heard at length, nearly 1.1/2 hours and finally it was decided that the matter would remain in this present Hon'ble High Court.
- One thing during this hearing got cleared that Group of Plan C were the only party arguing in favour of case to be transferred to NCLT.
- Justice Sidharth Mirdual put direct question to Group of Plan C advocate as to what exactly they wanted, reply was-Liquidation, assets to be sold and money recovered. I heard this Group is going to challenge present order of Justice Sidharth Mirdual in Supreme Court.
- Next date is fixed for **30th March 2017** wherein matter of Revival Plan in hand of His Justice would be heard and proceeded forward.

Friends hope you all have revived your memories-on what all transpired between **21.01.2014 to 15.03.2017**. With this I leave to all of you to decide between bad and good capable and non capable Ox to pull our Bullock Cart. All fence sitters please wake up come in front, your active participation to recover our bad investment would very much be appreciated. It is a wakening call for effected Spire Edge Investors to act before we are again taken for ride by wrong OX.

Regards & Good Night.

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