

FOSECA | SWBA

Federation of Spire Edge (Customer) Associations | Spire Woods Buyers Association

Date: April 17, 2018

To

The Special Director,
Central Bureau of Investigation,
New Delhi.



Sub : Complaint against Advocate of Official Liquidator(OL) – Mr. Kunal Sharma in Delhi High Court for suspicious actions in favour of the culprits – Promoter/Directors/Shareholders – Surender Kumar Hooda, Sunil Gandhi and Sandeep Hooda of the Company M/s A N Buildwell Pvt. Ltd. (under liquidation).

Dear Sir,

1. We are 1791 hapless customers of the Company M/s A. N. Buildwell Pvt. Ltd. (ANB) have been cheated, deceived and duped of their hard earned life savings by the abovementioned Promoters/Directors/Shareholders of the Company, who are involved in a massive corporate financial scam across companies with far reaching public interest to the tune of Rs. 150 Cr. out of which Rs. 42.05 Cr. (plus interest) are traceable directly to the promoters and their related parties.
2. The Promoters have fraudulently enticed individual customers into investing their hard earned money and thereafter illegally and fraudulently siphoning off that money for their own personal gain and involved in money laundering activities. The Promoters have deliberately led the company into Liquidation. Promoters left both the projects (Spire Edge at Manesar, Gurgaon and Spire Woods at Sector – 103, Gurgaon) incomplete and to save themselves from the liabilities of paying the Creditors and fulfilling their obligations, they pushed the Company into liquidation. The liquidation was ordered for merely Rs. 75 lakhs in Co. Pet. 704/2014, Amarpreet Singh Oberoi Vs. A N Buildwell Pvt. Ltd. & others, Delhi High Court on March 8, 2016. We have made several complaints to various authorities regarding the same.
3. Now complete 2 years have been passed after the liquidation order and Promoters, to again save themselves from liabilities and criminal actions, filed a mala-fide revival plan in Delhi High Court to further delay the revival to frustrate the genuine customers. We suspect that in this process, the Advocate of Official Liquidator – Mr. Kunal Sharma is helping promoters in their malafide intentions, the reasons for such suspicion are:



- A. Recently at 7 occasions / hearings in the case at Delhi High Court, the Hon'ble Court has very clearly asked the Advocate to come up with alternate options if Promoters fail to deposit Rs. 24 Cr in the Escrow Account to show their bonafide towards revival, but the OL office and Advocate didn't submit anything, this resulted in another date and consequently delay in Revival:

Date of hearings are:

- a) 29.11.2017
- b) 22.12.2017
- c) 15.01.2018
- d) 01.02.2018
- e) 06.03.2018
- f) 14.03.2018
- g) 11.04.2018

The same can be confirmed from the orders of the above dates.

- B. The Hon'ble Court has also suggested to appoint an Administrator to look into the Revival – Sell the unsold inventory and complete the construction of both the Projects. The court had asked OL's lawyer to work on this specifically and ready with this alternative proposal on the next date of hearing if promoters fail to deposit money and prove their bonafide, but no action was taken either by the OL office or its Advocate Mr. Kunal Sharma.
- C. We came to know through some sources that the entire set of files w.r.t. A N Buildwell matter of OL Office are lying at Mr. Kunal Sharma's office. Promoters and their lawyers are visiting Mr. Kunal Sharma's office very frequently. His actions at court speaks that he is in hand-in-gloves with promoters to fulfill their plan of Deliberate liquidation.

Sir, we therefore, request you to please urgently look into the matter in light of the aforementioned is urgent and pressing as hapless customers are suffering daily and despite having invested their lifesavings they are nowhere near realization of their dream as construction will start only if Revival happens. Promoters ill intentions are to drag it to frustrate the customers and don't shell out the money which they have already syphoned. The actions of the Advocate and OL office should be thoroughly investigated.

Thanking you,

(FOSECA + SWBA)

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Copy to - The Director, CBI

