

BSE Limited Phiroze Jeejeebhoy Towers, Dalal Street, Mumbai – 400001 Fax No.: 022-22721919	National Stock Exchange of India Limited Exchange Plaza, Plot No. C/1, G Block, Bandra- Kurla Complex Bandra (E), Mumbai – 400051 Fax No.: 022-26598120
Ref.: Kwality Limited (KWALITYLTD/ INE775B01025)	Ref.: Kwality Limited (KWALITYLTD/ INE775B01025)

December 28, 2021

Dear Sir,

RE: Information under Regulation 30 of SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015

In furtherance to our communique dated September 28, 2021, whereby it was intimated that pursuant to e-auction for sale of Kwality Limited (In Liquidation) as a going concern under the provisions of the Insolvency & Bankruptcy Code, 2016 (“IBC”), the Liquidator of Kwality Limited (in liquidation) (**‘Kwality’**) declared the successful bidder Kwality and issued the draft Letter of Intent dated September 27, 2021 (**“LoI”**) in favour of the Successful Bidder for execution. The successful bidder executed the LoI on October 14, 2021.

In terms of Clause 15.3 of the Process Memorandum read with Clause 5 of the duly executed Letter of Intent (“LoI”) and as provided under Regulation 32 of the IBBI (Liquidation Process) Regulations, 2016 framed under the IBC, the Successful Bidder is required to deposit the entire sale consideration/Bid Amount within maximum period of 90 (ninety) days from date of execution of the LoI i.e. November 13, 2021.

Provided that payments made after 30 (thirty) days till maximum period of 90 (ninety) days shall attract simple interest at the rate of 12% p.a. on the bid amount as per the provision of the IBC.

Provided further that the sale of the Corporate Debtor to the Successful Bidder shall stand cancelled if the payment is not received within maximum period of 90 (ninety) days.

Pursuant to execution of the LoI, the Successful Bidder filed an application I.A. No. 5208 of 2021 in C.P. (IB) No. 1440 of 2018 before the Hon’ble Adjudicating Authority, NCLT, New Delhi Bench-III (“NCLT”) seeking certain permissions, relief & concessions for continuation of Kwality Limited (In Liquidation) and/or its business as a going concern in terms of the provisions of the IBC. Vide the said application, the Successful Bidder also sought certain interim prayers inter alia for deferment of the payment of sale consideration until 15 days of passing of the final order allowing the said application and restraining forfeiture of the EMD amount by the Liquidator till the pendency of the application.

On consideration of the said application, the Hon’ble NCLT vide order dated 21st December 2021 has been pleased to pass the following directions (order uploaded on website of NCLT on 24th December 2021):

“We have seen the prayers as mentioned at “C” to “PP” of the present application. The said prayers, being in the nature of grant of reliefs and concessions to the Bidder as a matter of clean slate status of the Corporate Debtor, as also to maintain the said Company as a going concern being necessary and appropriate are hereby allowed.

It is made clear that the aforesaid grant of relief shall not be deemed to include any concession, relief, exemption or any other such benefit, whatsoever of any type, to the ex-management, Directions, Promoters and employees of the Corporate Debtor for the pre-insolvency period under IBC, 2016.

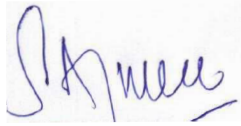
Further, it is seen in the IA under reference that the applicant has sought relief against the prayer "A" and "B" with regard to the exemption from payment of interest due to late payment of the Bid amount of Rs. 121 Crores in terms of LoI dated 14th October 2021 executed by the Applicant and the Liquidator.

In this regard, counsel for the Applicant has undertaken before this Bench that his client shall make the entire balance payment of Rs. 116 Crores to the Liquidator for the benefit of the Company under liquidation latest by 3rd January, 2022. Both the Counsels have also agreed with regards to the issue of waiver of interest as prayed against these prayers "A" & "B" maybe considered by this Authority after 03 January 2022. The next date of hearing i.e. 6th January 2022.

A copy of the order dated 21st December 2021 as uploaded on the website of the NCLT on 24th December 2021 is enclosed herewith for your record. The certified copy of the said order shall be forwarded on receipt.

This intimation is being issued in compliance to the Regulation 30 of SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015.

For Kwaliti Limited (In Liquidation)



Shailendra Ajmera

IP Registration no. **IBBI/PA-001/IP-P00304/2017-18/10568**

Liquidator for Kwaliti Limited

(Kwaliti Limited is undergoing Liquidation Process as per the provisions of the Insolvency and Bankruptcy Code 2016 (IBC) vide order dated January 11, 2021 (communicated on January 12, 2021) passed by the Adjudicating Authority, National Company Law Tribunal (NCLT), New Delhi Bench.)

Address for Correspondence:

Ernst & Young LLP, 3rd Floor, Worldmark 1, Aerocity Hospitality, New Delhi, National Capital Territory of Delhi - 110037

Email ID for Correspondence: liquidator.kwaliti@in.ey.com

Address registered with IBBI:

3rd & 6th Floor, Worldmark 1, IGI Airport Hospitality District, Aerocity, New Delhi 110037

Email ID registered with IBBI: Shailendra.ajmera@in.ey.com

Shailendra Ajmera has been granted a certificate of registration to act as an Insolvency Professional by the Insolvency & Bankruptcy Board of India, his registration number is IP Registration no. IBBI/PA-001/IP-P00304/2017-18/10568. The affairs, business and property of Kwaliti Limited are being managed by Shailendra Ajmera, appointed as Liquidator by the NCLT by an order dated 11 January 2021 (communicated on 12 January 2021) under the provisions of the IBC. He acts as an agent of Kwaliti Limited only and without personal liability.