



The Cross-Border Insolvency Regulations 2006

Recognition application

Name of Debtor: Rajesh Bothra (in Bankruptcy)

BR-2021-000325
Company number where
Hearing Date: 19 Nov 2021 10:30
applicable
or as soon
thereafter

In the High Court of Justice, Chancery Division,
Insolvency and Companies List, The Rolls Building, 7
Rolls Building, Fetter Lane, London, EC4A 1NL

For Court use only
Court case number

- (a) Insert full name(s) of applicant(s)
1. The application is made by Patrick Bance and Jason Aleksander Kardachi (as Joint Trustees in the Bankruptcy of Rajesh Bothra). The Joint Trustees are the foreign representatives appointed in relation to the above-named Debtor in a foreign proceeding, in reliance of article 15 of the UNCITRAL Model Law on cross-border insolvency as set out in Schedule 1 to the Cross-Border Insolvency Regulations 2006 ("CBIR") ("the Model Law"). The Joint Trustees were appointed on a Joint and Several basis of the Bankrupt's Estate.
- (b) Insert full name of the Debtor
2. The application is in respect of foreign bankruptcy proceedings in relation to Rajesh Bothra (in Bankruptcy).
- (c) Insert name of country where the foreign proceeding the subject of the application is taking place
- The Debtor, Rajesh Bothra (in Bankruptcy) was made bankrupt pursuant to an Order made in the High Court of Singapore under Case No: HC/B 2640/2020.
- (d) Insert any trading name of the Debtor if different from the full name given above and any former trading names in respect of any business in respect of which the Debtor may have incurred debts or
- In Singapore, the Debtor was the sole shareholder and director of Kobian Pte Ltd "Kobian", United Glory Corporation Pte Ltd ("UGC"), Adelphi Realty Pte Ltd ("Adelphi") and River Valley Realty Pte Ltd ("River Valley"). The entities under the control of the Applicants include UGC, Adelphi and River Valley. The Applicants are not aware of any trading names used by the Debtor as a sole trader in Singapore.

other liabilities still unsatisfied

(e) Insert any trading name of the Debtor in Great Britain if different from the full name given above and any former trading names in respect of any business in Great Britain in respect of which the Debtor may have incurred debts or other liabilities still unsatisfied

In Great Britain, the Debtor was formerly carrying on business as a director and majority shareholder (>75%) of Flat B 16 Arlington Street Limited (Company number 10952040) from 07 September 2017 until dissolution on 21 January 2020; as a director and minority shareholder (25-50%) of RHD Property Consultants Limited (Company number 10104607) from 05 April 2016 until dissolution on 19 January 2021; as a director and majority shareholder (>75%) of Dexmill Limited from 17 January 2018 until resignation on 26 February 2018; as a director of Chadwell Limited (Company number 10261800) from 29 July 2016 until dissolution on 15 December 2020; as a director of Fulcrum Hospitality Limited (Company number 09502370) from 20 March 2015 until resignation on 07 September 2020; as a director and majority shareholder (>75%) of RHD Property Investments Limited (Company number 10659683) from 13 March 2017 until resignation on 12 January 2021; and as a director of Flat C Arlington Street Limited (Company number 10952038) from 07 September 2017 until resignation on 05 September 2020.

The Applicants are not aware of any trading names used by the Debtor as a sole trader in Great Britain.

(f) Delete any statements in paragraph 3 which do not apply and insert full address details, where applicable

3. The Debtor's last known place of business in England and Wales is 64 New Cavendish Street, London, United Kingdom, W1G 8TB and the Debtor has assets situated within England and Wales.

* Delete as applicable

(g) If the Debtor's principal/last known place of business is in Scotland insert details of any place of business in England and Wales

(h) If the Debtor's usual/last known place of residence is in Scotland insert details of any place of residence in England and Wales

The Joint Trustees understand the Debtor is moving between houses belonging to friends and family in England and Wales.

(i) Insert date of incorporation

- (j) Insert registered number
- (k) If the Debtor has a registered branch or place of business include applicable statement(s) and insert required details
- (l) Give details of any business carried on by the Debtor in respect of which the Debtor may have incurred debts or other liabilities still unsatisfied
- (m) Insert name of country where the foreign proceeding is taking place
- (n) Insert brief details of the foreign proceeding
- The Debtor is not registered under the Companies Act 2006 or the Companies Act 1985, nor does he have any branches registered under those Acts or places of business of which particulars have been delivered to the registrar of companies.
5. (l) The principal business carried on by the Debtor in Great Britain is company commercial work, presently for a German Car Company in the UK. The Debtor also has an interest in various properties in the UK.
6. The foreign proceeding in respect of which recognition is applied for is taking place in Singapore.
- The foreign proceeding in the High Court of Singapore under Case No: HC/B 2640/2020. is the bankruptcy of Rajesh Bothra (the Debtor), the Debtor was declared bankrupt on 25 February 2021 pursuant to an Order in the General Division of the High Court of the Republic of Singapore. The Applicants were appointed as joint and several Private Trustees to administer the estate of the Debtor. The Debtor was declared bankrupt as a result of the personal guarantees provided by him to one of his entities, Kobian Pte Ltd ("the Company"). A bankruptcy application was issued by one of Company's creditors, Maersk Trade Finance A/S.
7. The foreign proceeding in respect of which recognition is applied for is a proceeding within the meaning of article 2(i) of Schedule 1 of CBIR 2006 and the Applicants are the foreign representatives of the Debtor within the meaning of article 2(j) of Schedule 1 of CBIR 2006 in relation to that proceeding and the evidence referred to in article 15(2) of Schedule 1 of CBIR 2006 is contained in or exhibited to the affidavit in support attached to this application.

8. The Debtor's centre of main interests is Singapore. Based on Singapore government records the Debtor was residing at 68 Cove Drive, Singapore 098181 (a property owned by his wife) until 12 January 2021. He also has Singaporean citizenship and has held a number of directorships in Singapore. He is presently in the UK temporarily for an employment role. The Applicants believe that the Debtor may return to Singapore following his temporary employment in the UK, his habitual residence in Singapore is owned by his wife. The Debtor's wife is currently still living at the residence in Singapore.

9. The Debtor is not a person falling within any of the exceptions set out in article 1(2) of Schedule 1 of CBIR 2006.

10. An affidavit in support of this application is attached.

11. The statement referred to in article 15(3) of Schedule 1 of CBIR 2006 is exhibited to the affidavit in support attached to this application.

12. The Applicants solicitor's address for service is Jane Golledge, SBP Law, Glade House, 52-54 Carter Lane, London, EC4V 5E.

(q) Insert address for
service
* Delete as applicable

13. The Applicants therefore request as follows:

(a) that the Court make an Order recognising the foreign proceeding the subject of this application as a foreign main proceeding.

(b) Pursuant to article 19(1)(b) of Schedule 1 CBIR 2006 that the Court grant the Joint Trustees urgent relief to protect the assets of the Debtor in that the Joint Trustees be entrusted with the administration of all the Debtor's assets located in Great Britain to protect value.

(r) Insert details of any
ancillary orders
sought

(c) Pursuant article 21(1) (e) of Schedule 1 CBIR 2006 that the Court make an
Order entrusting the administration or realisation of all the Debtor's assets
located in Great Britain to the Joint Trustees.

(d) Pursuant to article 21(2) CBIR of Schedule 1 CBIR 2006 that the Court make
an Order entrusting the Joint Trustees with the distribution of all the Debtor's
assets located in Great Britain.

(e) Any further Order that the Court thinks fit.



Applicant's solicitor
(If signing on behalf of firm or company state position or office held)

Dated: 10 November 2021

(s) Insert name and
address of Court

Endorsement to be completed by the Court

This application having been presented to the Court on _____ will

be heard at(s) _____

on (date) _____

at (time) _____ hours
(or as soon thereafter as the application can be held)

The solicitor to the applicant is:

Name: Jane Golledge, SBP Law

Address: SBP Law, Glade House, 52-54 Carter Lane, London, EC4V 5EF

Telephone number: 020 7332 2222

Reference _____

[Whose Agents are:

Name _____

Address _____

Telephone number _____

Reference _____]