
UPDATE ON LEGAL PROCEEDINGS WITH ALIRAN ASIA SDN BHD

1. INTRODUCTION

The board of directors (the “**Board**” or “**Directors**”) of Astaka Holdings Limited (the “**Company**”) refers to the Company’s announcements dated 19 December 2019, 23 December 2019, 17 March 2020, 28 July 2020, 17 December 2020, 28 April 2021, 24 May 2021, 2 June 2021 and 25 June 2021 (collectively, the “**Aliran Announcements**”) in relation to (i) the payment claim from Aliran Asia Sdn Bhd (“**Aliran**”) dated 12 December 2019 and the notice of adjudication dated 11 March 2020 (the “**First Notice of Adjudication**”); (ii) the adjudication decision dated 7 May 2021 in relation to the First Notice of Adjudication (“**First Claim Adjudication Decision**”); (iii) the additional payment claim dated 22 July 2020 (“**Additional Claim**”) from Aliran and the notice of adjudication dated 2 December 2020 (“**Second Notice of Adjudication**”); (iv) the adjudication decision dated 20 April 2021 in relation to the Second Notice of Adjudication (the “**Additional Claim Adjudication Decision**”); (v) the letter of demand dated 24 June 2021 issued by Astaka Padu Sdn Bhd (“**APSB**”) to Aliran to counterclaim for excess payment (the “**Excess Amount**”) in the amount of RM4,538,150.41 (the “**Letter of Demand**”); and (vi) the service of the cause papers by Aliran, being the Originating Summons and the Affidavits in Support, in respect of the First Claim Adjudication Decision and the Additional Claim Adjudication Decision, to APSB via email on 24 June 2021 (the “**Enforcement Applications**”).

Unless otherwise defined, all capitalised terms used in this announcement shall bear the same meanings as ascribed to them in the Aliran Announcements.

2. UPDATES ON THE ENFORCEMENT APPLICATIONS

- 2.1 In relation to the Originating Summons No. WA-24C-79-06/2021 filed by Aliran in respect of the First Claim Adjudication Decision, APSB is to file its affidavit in reply by 23 July 2021, and the court hearing for this matter has been fixed for 3 September 2021.
- 2.2 In relation to the Originating Summons WA-24C-80-06/2021 filed by Aliran in respect of the Additional Claim Adjudication Decision, APSB is to file its affidavit in reply by 30 July 2021, and the next case management for this matter has been fixed for 30 July 2021.

3. UPDATES ON THE COUNTERCLAIM BY APSB

- 3.1 Further to the Letter of Demand, APSB had issued a notice of arbitration (the “**Notice of Arbitration**”) to Aliran on 21 July 2021, seeking relief / remedy for, *inter alia*, the following:
 - (i) a declaration that Aliran had breached its duties owed to APSB under the Letter of Award dated 31 May 2017 for the design, supply and installation of luminaries work relating to the exterior façade lighting read in conjunction with other related ancillary documents (the “**Contract**”);
 - (ii) a declaration that the contract sum is manifestly excessive under the Contract;
 - (iii) a declaration that the Aliran is not entitled to the finance charge at 10% per annum pursuant to the Additional Claim Adjudication Decision;
 - (iv) special damages amounting to RM720,497.83 being the costs of rectifying defects and costs of abortive materials;
 - (v) general damages to be assessed;

- (vi) the Excess Amount;
- (vii) pre-award interest at the rate of 5% per annum on the awarded sum from the date of the Notice of Arbitration up to the date of the arbitration award;
- (viii) post-award interest at the rate of 5% per annum on the awarded sum from the date of the arbitration award until full and final realisation;
- (ix) costs of the arbitration to be borne by Aliran; and
- (x) any further or other awards that the arbitrator deems fit to grant.

3.2. The Company will make further announcements to update its shareholders when there are material updates in respect of the matter, as and when necessary.

4. GENERAL

Shareholders are advised to refrain from taking any action in respect of their securities in the Company which may be prejudicial to their interests, and to exercise caution when dealing in the securities of the Company. In the event of any doubt, Shareholders and potential investors should consult their stockbrokers, bank managers, solicitors, accountants or other professional advisers.

By Order of the Board

Khong Chung Lun
Executive Director and Chief Executive Officer

22 July 2021

This announcement has been prepared by the Company and reviewed by the Company's sponsor, Novus Corporate Finance Pte. Ltd. (the "**Sponsor**"), in compliance with Rule 226(2)(b) of the Singapore Exchange Securities Trading Limited (the "**SGX-ST**") Listing Manual Section B: Rules of Catalist.

This announcement has not been examined or approved by the SGX-ST and the SGX-ST assumes no responsibility for the contents of this announcement, including the correctness of any of the statements or opinions made, or reports contained in this announcement.

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