
UPDATE ON PROGRESS OF SUBMISSION OF REVISED RESUMPTION OF TRADING PROPOSAL (OCTOBER 2021)

The board of directors (the “**Board**” or “**Directors**”) of Astaka Holdings Limited (the “**Company**” and together with its subsidiaries, the “**Group**”) refers to the Company’s announcement dated 20 January 2021 (the “**Announcement**”) in relation to the receipt of the no objection letter (the “**Letter**”) from the Singapore Exchange Securities Trading Limited (the “**SGX-ST**”) for an extension of time to 31 December 2021 to submit a revised resumption of trading proposal (“**Revised Resumption Proposal**”) and the Company’s business update announcements dated 29 January 2021, 26 February 2021, 30 March 2021, 29 April 2021, 27 May 2021, 29 June 2021, 30 July 2021, 26 August 2021 and 28 September 2021. In compliance with the requirements set out in the Letter, the Board wishes to provide a monthly update on the Company’s operations and progress in meeting key milestones for its submission of a Revised Resumption Proposal to the SGX-ST.

1. BUSINESS UPDATES

The Board refers to the Company’s announcements dated 29 June 2021, 30 July 2021, 28 September 2021, and 6 October 2021 in relation to the four-phase National Recovery Plan (“**NRP**”) imposed by the Malaysian government.

On 22 October 2021, the Malaysian government announced Johor state’s transition from Phase Three to Phase Four of NRP, starting 25 October 2021. While public and private sector workplaces are allowed to operate at 100% capacity, up from 80%, under Phase Four of NRP, as part of the workplace safe management measures, the Group will continue to ensure that no more than 50% of employees are at the workplace at any point in time with strict adherence to the Covid-19 prevention standard operating procedures drawn up by the Malaysian government.

Following the full reopening of all economic sectors in Malaysia, the Group expects that better market sentiment along with stronger recovery in economic and business activities to contribute to better sales prospects of the Group ahead. Meanwhile, the Group will continue to focus on clearing the completed inventories through various sales packages and promotions, including special rebates and discounts.

Pursuant to the loan agreement entered into between Astaka Padu Sdn Bhd (“**APSB**”), and DMR Holdings Sdn Bhd (“**DMR**”), an associate of the Controlling Shareholder of the Company, Dato’ Daing A Malek Bin Daing A Rahman, dated 17 June 2020 and the supplemental loan agreement dated 3 November 2020 (collectively known as the “**DMR Loan Agreements**”), APSB has drawn down RM50.7 million of the loan, with RM9.3 million available for further drawdown as at 25 October 2021. Please refer to the circular issued by the Company on 9 October 2020 for more details on the DMR Loan Agreements.

Save as disclosed above, there have been no other material developments since the last update released by the Company on 28 September 2021.

2. UPDATES ON THE LEGAL PROCEEDINGS WITH ALIRAN ASIA SDN BHD (“Aliran”)

The Board 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, 25 June 2021, 22 July 2021, 10 August 2021, 26 August 2021, 28 September 2021, 1 October 2021 and 19 October 2021 in relation to:

- (i) the service of the cause papers by Aliran, being the Originating Summons No. WA-24C-79-06/2021 (“**OS 79**”) in respect of the adjudication decision dated 7 May 2021 (“**First Claim Adjudication Decision**”) and Originating Summons WA-24C-80-06/2021 (“**OS 80**”) in respect of the adjudication decision dated 20 April 2021 (“**Additional Claim Adjudication Decision**”);
- (ii) the filing of stay of proceedings pending reference to arbitration, being the Originating Summons. No. WA-24C-135-08/2021 (“**OS 135**”) in respect of the First Claim Adjudication Decision, and Originating Summons. No. WA-24C-136-08/2021 (“**OS 136**”) in respect of the Additional Claim Adjudication Decision, by APSPB in the Kuala Lumpur High Court (“**KL Court**”) on 10 August 2021; and
- (iii) the filing of a notice of application (the “**Notice of Application**”) and an originating summons (the “**Originating Summons**”) in the KL Court on 15 October 2021, seeking a Fortuna Injunction (the “**Fortuna Injunction**”) further to APSPB’s receipt of the notice of demand (the “**Notice of Demand**”) from Aliran dated 29 September 2021.

2.1. FIRST CLAIM ADJUDICATION DECISION

There have been no material developments since the last update released on 28 September 2021.

2.2. ADDITIONAL CLAIM ADJUDICATION DECISION

There have been no material developments since the last update released on 28 September 2021.

2.3. FORTUNA INJUNCTION

The Board wishes to update that the Notice of Application and the Originating Summons in relation to the Fortuna Injunction have been fixed for a hearing by the KL Court on 1 November 2021.

Further, an ad-interim injunction was granted to APSPB by the KL Court on 21 October 2021 restraining Aliran from presenting a winding-up petition against APSPB in respect of the sum of RM3,657,644.59 claimed in the Notice of Demand, until disposal of the application for the Fortuna Injunction.

3. UPDATES ON THE LEGAL PROCEEDINGS WITH CHINA STATE CONSTRUCTION ENGINEERING (M) SDN BHD (“CSCE”)

The Board refers to the Company’s announcements dated 27 November 2020, 7 December 2020, 25 January 2021, 17 February 2021, 28 April 2021, 30 July 2021, 10 August 2021, 18 August 2021, 25 August 2021, 26 August 2021, 3 September 2021, 15 September 2021 and 5 October in relation to:

- (i) the dismissal by the High Court of Malaya at Johor Bahru (“**JB Court**”) on 1 September 2021, of the stay of proceedings pending referral to arbitration pursuant to Section 10 of the Arbitration Act 2005, filed by APSPB, in relation to the Writ of Summons and Statement of Claim served by CSCE on APSPB on 25 January 2021 (the “**JB Matter**”) (the “**Dismissal by JB Court**”), the notice of appeal filed by APSPB against the Dismissal by JB Court on 13 September 2021, and the notice of application filed by CSCE for an order from the JB Court for a summary judgement against APSPB pursuant to Order 14 of the Rules of Court 2012 (the “**Summary Judgement**”);
- (ii) the dismissal by the KL Court on 6 August 2021, of the Originating Summons served by APSPB on CSCE and the notice of application by APSPB seeking for, *inter alia*, an interim injunction to prevent CSCE from commencing and/or proceeding with adjudication proceedings against APSPB pursuant to the Construction Industry Payment and Adjudication Act 2012 until disposal of the Originating Summons on 25 January 2021 (the “**KL Matter**”) (the “**Dismissal by KL Court**”), the notice of appeal filed by APSPB against the Dismissal by KL Court on 24 August 2021, and the notice of application filed by APSPB in the KL Court on 1 October 2021 pursuant to Order 29, Order 69A and Order 92 Rule 4 of the Rules of Court 2012; and

- (iii) the notice of adjudication dated 17 August 2021 (“**Notice of Adjudication**”) from Raja, Darryl & Loh (being the lawyers representing CSCE).

3.1. JB MATTER – SUMMARY JUDGEMENT

The Board wishes to update that the hearing in relation to the Summary Judgement has been fixed on 13 December 2021 by the JB Court.

3.2. KL MATTER – ERINFORD INJUNCTION

The Board wishes to update that the hearing in relation to the Erinford Injunction has been fixed on 31 January 2022 by the KL Court.

3.3. NOTICE OF ADJUDICATION FROM CSCE

There have been no material developments since the last update released on 26 August 2021.

The Company will make further announcement(s) to update shareholders as and when there are material developments with regard to the Company’s operations and the Revised Resumption Proposal.

By Order of the Board

Khong Chung Lun
Executive Director and Chief Executive Officer

26 October 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.

The contact person for the Sponsor is Mr Andrew Leo, Chief Executive Officer, at 7 Temasek Boulevard, #18-03B Suntec Tower 1, Singapore 038987, telephone (65) 6950 2188.
