
UPDATE ON PROGRESS OF SUBMISSION OF REVISED RESUMPTION OF TRADING PROPOSAL (DECEMBER 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, 28 September 2021, 26 October 2021 and 30 November 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

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 Rahaman, dated 17 June 2020 and the supplemental loan agreement dated 3 November 2020 (collectively known as the “**DMR Loan Agreements**”), APSB has fully drawn down RM60.0 million of the loan. Please refer to the circular issued by the Company on 9 October 2020 for more details on the DMR Loan Agreements.

In addition to the foregoing, APSB has on 8 December 2021 obtained an additional loan facility from DMR Holdings (the “**Additional Loan Facility**”) of up to RM8.0 million for general corporate and working capital purposes. As at the date of this Letter, APSB has drawn down RM4.7 million of the Additional Loan Facility, with RM3.3 million available for further drawdown.

In relation to the Revised Resumption Proposal, the Board is also pleased to inform that the Company had on 29 December 2021, submitted the Revised Resumption Proposal to SGX-ST.

The Company also wishes to update that following the full reopening of all economic sectors in Malaysia in October 2021 as well as the lifting of the border controls in Malaysia since November 2021 which had boosted the number of prospective foreign buyers, the Group has been stepping up its marketing efforts and started to see improving sales performance for the development projects at The Astaka @ One Bukit Senyum, Bukit Pelali @ Pengerang and the newly announced Business Boulevard @ Central Park.

Save as disclosed above, there have been no other material developments since the last update released by the Company on 30 November 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, 1 October 2021, 19 October 2021, 2 November 2021, 10 November 2021 and 26 November 2021 in relation to:

- (i) the service of the cause papers by Aliran to APSB via email on 24 June 2021, being the Originating Summons No. WA-24C-79- 06/2021 (“**OS 79**”) in respect of the enforcement of the adjudication decision dated 7 May 2021 (the “**First Claim Adjudication Decision**”) and the Originating

Summons No. WA-24C-80-06/2021 (“**OS 80**”) in respect of the enforcement of the adjudication decision dated 20 April 2021 (“**Additional Claim Adjudication Decision**”) (the “**Enforcement Applications**”);

- (ii) the Enforcement Applications of the First Claim Adjudication Decision and Additional Claim Adjudication Decision being allowed by the Kuala Lumpur High Court with costs of RM3,000 each awarded to Aliran on 8 November 2021 and 9 November 2021, respectively;
- (iii) the dismissal by the Kuala Lumpur High Court (“**KL Court**”) of the Stay of Proceedings pending reference to arbitration filed by APSB, 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 on 8 November 2021 and 23 November 2021, respectively; and
- (iv) the dismissal by the KL Court of the notice of application and originating summons filed by APSB on 15 October 2021 (“**OS 437**”), seeking a fortuna injunction further to APSB’s receipt of the notice of demand from Aliran dated 29 September 2021 (the “**Fortuna Injunction**”) on 24 November 2021.

2.1. FIRST AND ADDITIONAL CLAIM ADJUDICATION DECISION

The Board refers to the Company’s announcements dated 10 November 2021 and 26 November 2021 in relation to the update on legal proceedings against Aliran (collectively, the “**Enforcement Announcements**”).

Save as disclosed in the Enforcement Announcements, there are no material updates to the legal proceedings with Aliran.

2.2. FORTUNA INJUNCTION

The Board refers to the Company’s announcement dated 2 November 2021 and 26 November 2021 in relation to the Fortuna Injunction (collectively, the “**Fortuna Injunction Announcements**”).

The Board wishes to update that APSB had on 24 December 2021, filed a notice of appeal to the Court of Appeal of Malaysia, against the dismissal by the KL Court in respect of OS 437.

Save as disclosed herein and in the Fortuna Injunction Announcements, there are no other material updates to the legal proceedings with Aliran.

3. UPDATES ON THE LEGAL PROCEEDINGS WITH 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, 10 August 2021, 18 August 2021, 25 August 2021, 3 September 2021, 15 September 2021, 5 October 2021 and 30 November 2021 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 APSB, in relation to the Writ of Summons and Statement of Claim served by CSCE on APSB on 25 January 2021 (the “**JB Matter**”) (the “**Dismissal by JB Court**”), the notice of appeal filed by APSB 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 APSB 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 APSB on CSCE and the notice of application by APSB seeking for, *inter alia*, an interim injunction to prevent CSCE from commencing and/or proceeding with adjudication proceedings against APSB pursuant to the Construction Industry Payment and Adjudication Act 2012 (the “**Adjudication Proceedings**”)

until disposal of the Originating Summons on 25 January 2021 (the “**KL Matter**”) (the “**Dismissal by KL Court**”), and the notice of appeal filed by APSB against the Dismissal by KL Court on 24 August 2021;

- (iii) the filing of the notice of application in relation to the Erinford Injunction to preserve the status quo of the matter pending the disposal of APSB’s appeal to the Court of Appeal filed by APSB 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 (the “**Erinford Injunction**”);
- (iv) the notice of adjudication dated 17 August 2021 from Raja, Darryl & Loh (being the lawyers representing CSCE); and
- (v) the entry of Settlement Agreement between APSB and CSCE on 29 November 2021.

3.1. JB MATTER – SUMMARY JUDGEMENT

The Board wishes to update that further to the Settlement Agreement and the Consent Judgement (as defined below), APSB has stopped to pursue all legal matters relating to CSCE. Please refer to paragraph 3.2 below for more details.

3.2. KL MATTER – ERINFORD INJUNCTION

The Board wishes to update further to the Settlement Agreement and the Consent Judgement (as defined below), APSB has on 22 December 2021, filed the notice of discontinuance in the Court of Appeal at Putrajaya. APSB has also withdrawn the Erinford Injunction on 22 December 2021 at the KL Court.

3.3. COMPLIANCE WITH SETTLEMENT AGREEMENT

Following the execution of the Settlement Agreement, CSCE has filed and recorded the consent judgement of the civil proceedings relating to the Settlement Agreement in the JB Court on 13 December 2021 (the “**Consent Judgement**”).

In connection with the Settlement Agreement and Consent Judgement, APSB has since fulfilled the repayment milestones of

- (a) RM5.0 million which was paid on the same day the Settlement Agreement was entered into, and
- (b) another RM5.0 million which was paid on 14 December 2021 following the receipt of Consent Judgement.

Accordingly, both CSCE and APSB have since withdrawn and/or discontinued the adjudication and/or civil proceedings relating to the Dispute. APSB will continue to observe its obligations under the Settlement Agreement.

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

30 December 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 Catalyst.

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.
