

**K005815**

**Obchodné meno/Názov/Meno a priezvisko dlžníka/úpadcu:** Potočár Lukáš  
**Sídlo/Bydlisko dlžníka/úpadcu:** Dolichénska 1449 / 11, 851 10 Bratislava-Rusovce  
**IČO/Dátum narodenia dlžníka/úpadcu:** 27.04.1984  
**Titul, meno a priezvisko správcu:** JUDr. Mária Krumpolcová Šutková  
**Sídlo správcu:** Dostojevského rad 5, 811 09 Bratislava  
**Spisová značka správcovského spisu:** 21OdK/215/2023 S1799  
**Príslušný konkurzný súd:** Mestský súd Bratislava III  
**Spisová značka súdneho spisu:** 21OdK/215/2023  
**Druh podania:** Výzva zahraničným veriteľom na prihlásenie pohľadávok

Výzva zahraničným veriteľom na prihlásenie pohľadávok / Invitation to lodge a claim for foreign creditors

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| <p>V súlade s nariadením Európskeho parlamentu a Rady (EÚ) č. 2015/848 zo dňa 20. mája 2015 o insolvenčnom konaní, ako správca dlžníka: <b>Lukáš Potočár, nar. 27.4.1984, trvalý pobyt: Dolichénska 1449/11, 851 10 Bratislava, Slovensko</b> (ďalej len „dlžník“), oznamujem, že uznesením Mestského súdu Bratislava III, spis. zn.: 21OdK/215/2023, zo dňa 21.12.2023, bol vyhlásený konkurz na majetok dlžníka.</p> <p><b>Toto uznesenie Mestského súdu Bratislava III bolo zverejnené v Obchodnom vestníku č. 1/2024 dňa 2.1.2024.</b></p> <p>Vyhlásením konkurzu sa začína konkurz. Konkurz sa považuje za vyhlásený zverejnením uznesenia o vyhlásení konkurzu v Obchodnom vestníku, pričom za deň zverejnenia (doručenia) súdneho rozhodnutia sa považuje nasledujúci deň po zverejnení súdneho rozhodnutia v Obchodnom vestníku. Vyhlásením konkurzu sa dlžník stáva úpadcom (§ 167a ods. 3 ZKR v spojení s ustanovením § 199 ods. 9 ZKR).</p> <p>Veriteľ (§ 166a a 166c) má právo prihlásiť sa do konkurzu do času, kým správca neoznámí v Obchodnom vestníku, že ide zostaviť rozvrh. Ustanovenia § 29 ods. 1, 2, 4 až 6, 8 až 10, § 30 a 31 sa použijú primerane. Zabezpečený veriteľ úveru na bývanie je oprávnený sa prihlásiť, iba ak je už pohľadávka z úveru na bývanie v celom rozsahu splatná, alebo ak sa prihlásil zabezpečený veriteľ, ktorého zabezpečovacie právo je skoršie v poradí, o čom správca bez zbytočného odkladu zabezpečeného veriteľa úveru na bývanie písomne upovedomí. (§ 167l ods. 1 ZKR)</p> <p>V konkurze uplatňuje svoju pohľadávku prihláškou aj veriteľ, ktorý má pohľadávku voči inej osobe ako úpadcovi, ak je zabezpečená zabezpečovacím právom vzťahujúcim sa k majetku úpadcu. Takýto veriteľ môže byť v konkurze uspokojený iba z výťažku získaného speňažením majetku, ktorý zabezpečuje jeho pohľadávku, pričom hlasovacie práva na schôdzi veriteľov môže vykonávať iba v rozsahu, v akom jeho pohľadávka bude pravdepodobne uspokojená z majetku, ktorým je zabezpečená. (§ 167l ods. 2 ZKR).</p> <p>Prihláška sa podáva v jednom rovnopise u správcu, pričom správcovi musí byť doručená v základnej prihlasovacej lehote do 45 dní od vyhlásenia konkurzu. Ak veriteľ doručí správcovi prihlášku neskôr, na prihlášku sa prihláda, veriteľ však nemôže vykonávať hlasovacie právo a ďalšie práva spojené s prihlásenou pohľadávkou. Právo na pomerne uspokojenie veriteľa tým nie je dotknuté; môže byť však uspokojený len z výťažku zaradeného do rozvrhu zo všeobecnej podstaty, ktorého zámer zostaviť bol oznámený v Obchodnom vestníku po doručení prihlášky správcovi. Zapisanie takejto pohľadávky do zoznamu pohľadávok správca zverejní v Obchodnom vestníku s uvedením veriteľa a prihlásenej sumy. Doručenie prihlášky správcovi má pre plynutie premlčacej lehoty a zánik práva rovnaké právne účinky ako uplatnenie práva na súde. (§ 167l ods. 3 ZKR).</p> | <p>According to the Regulation of the European Parliament and of the Council No. 2015/848 dated 20th May 2015 on insolvency proceedings, as the trustee of the debtor: <b>Lukáš Potočár, date of birth: 27.4.1984, address at: Dolichénska 1449/11, 851 01 Bratislava, Slovakia</b> (hereinafter only "the Debtor"), my duty is to inform that by the resolution of the City Court Bratislava III, No. 21Odk/215/2023 dated on 21<sup>st</sup> December 2023, the bankruptcy was declared on the Debtor's estate.</p> <p><b>This resolution of the City Court Bratislava III was published in Business Journal No. 1/2024 on 2<sup>nd</sup> January 2024.</b></p> <p>The bankruptcy begins by declaring the bankruptcy. The bankruptcy is considered as declared by publishing the resolution on declaring the bankruptcy in the Business Journal, whereby as the day of publishing (delivery) of the judicial decision the day following the day after the publishing of the judicial decision in the Commercial report shall be considered.</p> <p>The creditor (§ 166a and 166c) has the right to enter into bankruptcy until the trustee has informed the Business Journal that it is preparing a timetable. The provisions of § 29 sec. 1, 2, 4 to 6, 8 to 10, § 30 and § 31 shall apply mutatis mutandis. A secured creditor of a housing loan is entitled to sign up only if the claim for a full-cost housing loan is due or if a secured creditor whose security right is earlier in rank is registered by administrator without undue delay of the secured creditor of the loan Housing will be notified in writing. (§ 167l sec. 1 BRA)</p> <p>In the bankruptcy also the creditor alleges his claim by the application, who has the claim towards other person as the bankrupt, if it is assured by the security right referring to the property of the bankrupt. Such creditor can be satisfied in the bankruptcy only from the gains acquired by encashing the property, which ensures his claim, whereby the rights to vote at the meeting of the creditors can exercise only in that extent, in which his claim will be probably satisfied from the property, by which it is assured (§ 167l sec. 2 BRA).</p> <p>The application is filed in a single equation with the trustee, and the trustee must be delivered within the basic registration period within 45 days of the bankruptcy declaration. If the creditor delivers the application later to the trustee, the application shall be taken into consideration, but the creditor cannot exercise the right to vote and other rights related to the registered claim. The right to proportional satisfaction of the creditor shall not be touched; he can be satisfied only from the gains put into the schedule from the general property, whose aim to put together was published in the Business Journal after the delivery of the application to the trustee. The registration of such claim into the list of the claims publishes the trustee in the Business Journal with stating the creditor and the registered sum. The delivery of the application to the trustee has the same legal effects as the exercise of the right to a court to pass the limitation period and termination of the right (§ 167l sec. 3 BRA).</p> <p>The application must be submitted to the trustee electronically via a dedicated electronic form in the trustee's electronic mailbox and must be authorized. In the case of a foreign creditor according to Article 2 (12) of the Regulation of the European Parliament and of the Council No.</p> |
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| <p>Prihláška musí byť podaná u správcu elektronicky prostredníctvom na to určeného elektronického formulára do elektronickej schránky správcu a musí byť autorizovaná. Ak ide o zahraničného veriteľa podľa čl. 2 ods. 12 Nariadenia Európskeho parlamentu a Rady (EÚ) č. 2015/848 zo dňa 20. mája 2015 o insolvenčnom konaní, prihláška sa podáva u správcu elektronicky prostredníctvom na to určeného formulára podľa čl. 55 Nariadenia Európskeho parlamentu a Rady (EÚ) č. 2015/848 zo dňa 20. mája 2015 o insolvenčnom konaní (§ 29 ods. 1 ZKR a § 28 ods. 2 ZKR).</p> | <p>2015/848 dated 20th May 2015 on insolvency proceedings, the application shall be submitted to the trustee electronically via a determined form according to Article 55 of the Regulation of the European Parliament and of the Council No. 2015/848 dated 20th May 2015 on insolvency proceedings (§ 29 sec. 1 BRA and § 28 sec. 2 BRA).</p>                                                                                                                                                                                                                                                  |
| <p>Prihláška musí obsahovať základné náležitosti, inak sa na prihlášku neprihliada. Základnými náležitosťami prihlášky sú: a) meno, priezvisko a bydlisko alebo názov a sídlo veriteľa, b) meno, priezvisko a bydlisko alebo názov a sídlo úpadcu, c) právny dôvod vzniku pohľadávky, d) poradie uspokojovania pohľadávky zo všeobecnej podstaty, e) celková suma pohľadávky, f) podpis (§ 29 ods. 1 ZKR).</p>                                                                                                                                                               | <p>The application must include basic requirements; otherwise it will not be taken into consideration. The basic requirements of the application are: a) name, surname and residence or name and seat of the creditor, b) name, surname and residence or name and seat of the bankrupt, c) legal reason of the establishment of the claim, d) order of satisfying the claim from the general property, e) total sum of the claim, f) signature (§ 29 sec. 1 BRA).</p>                                                                                                                            |
| <p>Vzor tlačiva prihlášky je k dispozícii na nasledovných linkov: <a href="https://www.slovensko.sk/sk/detail-sluzby?externalCode=sluzba_egov_7854">https://www.slovensko.sk/sk/detail-sluzby?externalCode=sluzba_egov_7854</a> alebo <a href="https://www.slovensko.sk/sk/detail-sluzby?externalCode=ks_186521">https://www.slovensko.sk/sk/detail-sluzby?externalCode=ks_186521</a> alebo <a href="https://www.slovensko.sk/sk/detail-sluzby?externalCode=ks_186520">https://www.slovensko.sk/sk/detail-sluzby?externalCode=ks_186520</a>.</p>                             | <p>The application must be filed in the prescribed form. A model application form are available on the following links: <a href="https://www.slovensko.sk/sk/detail-sluzby?externalCode=sluzba_egov_7854">https://www.slovensko.sk/sk/detail-sluzby?externalCode=sluzba_egov_7854</a> or <a href="https://www.slovensko.sk/sk/detail-sluzby?externalCode=ks_186521">https://www.slovensko.sk/sk/detail-sluzby?externalCode=ks_186521</a> or <a href="https://www.slovensko.sk/sk/detail-sluzby?externalCode=ks_186520">https://www.slovensko.sk/sk/detail-sluzby?externalCode=ks_186520</a>.</p> |
| <p>Vzor ostatných potrebných dokumentov je k dispozícii na internetovej stránke Ministerstva spravodlivosti Slovenskej republiky, na nasledovnom linku: <a href="https://www.justice.gov.sk/sluzby/vzory-a-formulare/vzory-pre-fo-a-po/">https://www.justice.gov.sk/sluzby/vzory-a-formulare/vzory-pre-fo-a-po/</a>.</p>                                                                                                                                                                                                                                                     | <p>A model other necessary documents are available on the website of the Ministry of Justice of the Slovak Republic on the following link: <a href="https://www.justice.gov.sk/sluzby/vzory-a-formulare/vzory-pre-fo-a-po/">https://www.justice.gov.sk/sluzby/vzory-a-formulare/vzory-pre-fo-a-po/</a>.</p>                                                                                                                                                                                                                                                                                      |
| <p>Pre každú zabezpečenú pohľadávku musí byť podaná samostatná prihláška s uvedením zabezpečenej sumy, druhu, poradia, predmetu a právneho dôvodu vzniku zabezpečovacieho práva (§ 29 ods. 2 ZKR).</p>                                                                                                                                                                                                                                                                                                                                                                       | <p>For each assured claim one application must be submitted with stating the assured sum, type, order, subject and legal reason of establishment of the security right (§ 29 sec. 2 BRA).</p>                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>V prihláške podmienenej pohľadávky musí byť uvedená aj skutočnosť, na základe ktorej má pohľadávka vzniknúť alebo podmienka, od ktorej závisí vznik pohľadávky (§ 29 ods. 3 ZKR).</p>                                                                                                                                                                                                                                                                                                                                                                                     | <p>In the application of conditional claim must be stated also the fact on which basis the claim should arise or the condition, from which the establishment of the claim depends (§ 29 sec. 3 BRA).</p>                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>Celková suma pohľadávky sa v prihláške rozdelí na istinu a prísľušenstvo, pričom prísľušenstvo sa v prihláške rozdelí podľa právneho dôvodu vzniku (§ 29 ods. 4 ZKR).</p>                                                                                                                                                                                                                                                                                                                                                                                                 | <p>The total sum of the claim shall be divided in the application in the principal and fixtures, whereby the fixtures shall be divided in the application according to the legal reason of the establishment (§ 29 sec. 4 BRA).</p>                                                                                                                                                                                                                                                                                                                                                              |
| <p>Pohľadávka sa uplatňuje v eurách. Ak sa pohľadávka neuplatní v eurách, sumu pohľadávky určí správca prepočtom podľa referenčného výmenného kurzu určeného a vyhláseného v deň vyhlásenia konkurzu Európskou centrálnou bankou alebo Národnou bankou Slovenska. Ak je pohľadávka uplatnená v mene, ktorej referenčný výmenný kurz Európska centrálna banka ani Národná banka Slovenska neurčuje a nevyhlasuje, sumu pohľadávky určí správca s odbornou starostlivosťou (§ 29 ods. 5 ZKR).</p>                                                                              | <p>The claim shall be alleged in Euros. If the claim is not alleged in Euros, the sum of the claim shall be stated by the trustee by the conversion according to the exchange rate determined and published on the day of bankruptcy declaration by the European Central Bank or National Bank of Slovakia. If the claim is alleged in currency, whose reference exchange rate is not stated or published by the European Central Bank or by the National Bank of Slovakia, the sum of the claim shall be determined by the trustee with professional care (§ 29 sec. 5 BRA).</p>                |
| <p>K prihláške sa pripoja listiny preukazujúce v nej uvedené skutočnosti. Veriteľ, ktorý je účtovnou jednotkou, v prihláške uvedie vyhlásenie, či o pohľadávke účtuje v účtovníctve, v akom rozsahu, prípadne dôvody, prečo o pohľadávke v účtovníctve neúčtuje (§ 29 ods. 6 ZKR).</p>                                                                                                                                                                                                                                                                                       | <p>To the claim shall be attached the documents, which prove the stated facts. The creditor, who is the accounting unit, determines in the application a statement, if he accounts the claim in the accountancy, in which extent, or possible reasons, why he does not accounts the claim in the accountancy (§ 29 sec. 6 BRA).</p>                                                                                                                                                                                                                                                              |
| <p>Prihlásenú pohľadávku je oprávnený poprieť len iný prihlásený veriteľ.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>Authorised for denial of registered claim is only another registered creditor.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p>Veriteľ, ktorý nemá na území Slovenskej republiky bydlisko alebo sídlo alebo organizačnú zložku podniku, je povinný ustanoviť si zástupcu na doručovanie s bydliskom alebo sídlom na území Slovenskej republiky a ustanovenie zástupcu písomne oznámiť správcovi, inak sa mu budú písomnosti doručovať len zverejnením v Obchodnom vestníku (§ 29 ods. 8 ZKR).</p>                                                                                                                                                                                                        | <p>The creditor, who does not have the residence or seat or affiliation of the company in the Slovak republic, is obliged to determine his representative with residence or seat in the Slovak republic for delivering and to announce the determination of the representative to the trustee, otherwise the documents will be delivered only by publishing them in the Business Journal (§ 29 sec. 8 BRA).</p>                                                                                                                                                                                  |
| <p>Ten, kto by s poukazom na výhradu vlastníctva mohol inak žiadať vylúčenie vecí zo súpisu, môže svoje práva v konkurze uplatniť prihláškou rovnako, ako by uplatňoval zabezpečovacie právo. Takýto veriteľ prihláškou poveruje správcu na súpis a speňaženie vecí s</p>                                                                                                                                                                                                                                                                                                    | <p>Anyone who might otherwise claim exclusion from the inventory with the reference to the reservation of title may apply his rights in bankruptcy with the application as if he had exercised the right of security. Such a creditor, by the application, entrusts the administrator with the inventory and the monetization of the matter subject to ownership. The position of such creditor shall be governed by appropriate provisions governing the status of the secured creditor (§ 29 sec. 9 BRA).</p>                                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>Section 9 shall apply equally to the exercise of rights by a creditor who has leased the borrower for a fixed term fixed lease with a view to transferring the leased property to the debtor's ownership (§ 29 sec. 10 BRA).</p>                                                                                                                                                                                                                                                                                                                                                              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>The trustee submits without vain delay after the expiration of the basic registration period to the court together with his statement the list of</p>                                                                                                                                                                                                                                                                                                                                                                                                                                         |

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| <p>výhradou vlastníctva. Na postavenie takéhoto veriteľa sa použijú primerane ustanovenia upravujúce postavenie zabezpečeného veriteľa. (§ 29 ods. 9 ZKR)</p> <p>Odsek 9 sa použije rovnako aj pre uplatňovanie práv veriteľom, ktorý dlžníkovi prenajal vec za dohodnuté nájomné na dobu určitú, s cieľom prevodu prenajatej veci do vlastníctva dlžníka. (§ 29 ods. 10 ZKR)</p> <p>Správca bez zbytočného odkladu po uplynutí základnej prihlasovacej lehoty predloží súdu spolu so svojím stanoviskom zoznam podaní, pri ktorých má za to, že sa na ne neprihliada ako na prihlášky, pričom súd bez zbytočného odkladu uznesením určí, či sa na tieto podania prihliada ako na prihlášku. Uznesenie súd doručí správcovi, ktorý o ňom upovedomí dotknuté osoby (§ 30 ods. 1 ZKR).</p> <p>Podanie, ktorým bola uplatnená pohľadávka, ktorá sa v konkurze uplatňuje prihláškou, nemožno opraviť ani doplniť (§ 30 ods. 2 ZKR).</p> <p>Táto výzva sa vzťahuje na veriteľov, ktorí majú trvalé bydlisko alebo registrované sídlo v iných členských štátoch Európskej únie ako v Slovenskej republike v súlade s čl. 54 Nariadenia Európskeho parlamentu a Rady (EÚ) č. 2015/848 zo dňa 20. mája 2015 o insolvenčnom konaní.</p> | <p>submissions, by which he thinks that they were not taken into consideration as application, whereby the court determines by a resolution without vain delay, if these submissions were taken into consideration as application. The resolution of the court will be delivered to the trustee, who will notify the relevant persons (§ 30 sec. 1 BRA).</p> <p>The submission, by which the claim was alleged, which will be alleged in the bankruptcy by an application, cannot be corrected nor amended (§ 30 sec. 2 BRA).</p> <p>This notice refers to the creditors who have their domicile or registered seat in other EU member state than in the Slovak Republic according to Article 54 of the Regulation of the European Parliament and of the Council No. 2015/848 dated 20th May 2015 on insolvency proceedings</p> |
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JUDr. Mária Krumpolcová Šutková, správca/trustee