

PROCEEDINGS OF THE DAY		50
Day and Date	Tuesday and 20.02.2024	
Complaint No.	CR/1410/2022 Case titled as Rajesh Mishra VS CHD Developers Limited	
Complainant	Rajesh Mishra	
Represented through	Ms. Inderdeep Kaur, proxy counsel	
Respondent	CHD Developers Limited	
Respondent Represented through	Shri Mohamad Khalid, Advocate on behalf of IRP.	
Last date of hearing	06.12.2023	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

A copy of the order dated 26.09.2023 has been downloaded from the site of NCLAT, as brought to the notice of the authority and passed in Company Appeal (Ins) No. 1168 of 2022 and I.A.NO.160 OF 2023 in the matter of Gaurav Mitta Promoter, Suspended Director and Share holder Versus CHD Developers Ltd. and Ors. with company appeal (AT) (Ins) No.1181 of 2022 has been placed on record. Orders dated 26.9.2023 are re-produced as under :-

"This appeal has been filed against the order dated 05.09.2022 by which Adjudicating Authority has admitted Section 7 application and rejected the PPIRP under Section 54 (e). Other three appeals were filed against the same order, which by our order of date have been permitted to be withdrawn While withdrawing the appeals, we have also granted liberty to two project in CHD Vann and CHD Ysuites Resortico to file an appropriate application before the Adjudicating Authority for segregating or completing the projects.

In this appeal which has been filed by the Yes Bank the appellant's case is that CHD Green Park be separated from the CIRP on which the finance was advanced by the appellant. We are having granted liberty to Land Owners in CHI Vann and CHD Ysuites Resortico to file an appropriate



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी. डब्ल्यू. डी. विभाग गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

application, we also grant liberty to the appellant to file an application before the Adjudicating Authority for the said purpose.

We are having already permitted withdrawal of other three appeals by order of the date and directed CIRP to continue, we permit the appellant to file an appropriate application before the Adjudicating Authority. With the aforesaid liberty, we close this appeal".


In view of the facts and circumstances mentioned above and to gain clarity as to what can be done to protect the interest of the allottees., it was directed vide orders dated 06.12.2023 that IRP shall be present on the next date of hearing to explain the detailed status of the moratorium imposed upon M/s CHD Developers Pvt. Ltd. and to explain whether M/s CHD Developers Pvt. Ltd. can demand the outstanding amount in case moratorium is continuing on whole of the company except on the two projects CHD Vann and CHD Ysuites Resortico.

An email has been sent to the IRP to appear before the Authority on 20.02.2024 to clarify the status of the same. The counsel for the IRP states that the moratorium proceedings under section 7 of the IBC stand intimated against the entire company and no projects have been differentiated and hence the case may not be further proceeded before this Authority till moratorium on the said company remains operative. An affidavit to this effect shall be filed in the registry of the authority within a period of two weeks by the IRP of the respondent.

In view of the above, the matter is adjourned sine die.

Ashok Sangwan
Member

V.I - 
Vijay Kumar Goyal
Member


Arun Kumar
Chairman
20.02.2024