

PROCEEDINGS OF THE DAY		14
Day and Date	Tuesday and 01.03.2023	
Complaint No.	CR/2438/2022 Case titled as Garima Kaushik Vs Sarv Realtech Private Limited And Supertech Limited	
Complainant	Garima Kaushik	
Represented through	Shri Sukhbir Yadav Advocate	
Respondent	1. Sarv Realtech Private Limited 2. Supertech Limited	
Respondent Represented through	Shri Pankaj Chandola Adv. for R3 Shri Bhrigu Dhami Advocate for R2	
Last date of hearing	05.01.2023	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings The counsel for the complainant states that the respondent No.1 in the matter i.e. M/s Sarv Realtech Pvt. Ltd. falls squarely under the definition of promoter in terms of the order passed by this authority in case titled as Deepak Chaudhary versus Supertech and PNB Housing Finance. Therefore, the complainant is well within his rights to seek relief from respondent No.1 despite the fact that respondent No.2 i.e. M/s Supertech Limited are in NCLAT proceedings and moratorium has been announced. It is further stated by the counsel for the complainant that as per the tripartite agreement (Annexure P4) the respondent No.2 was required to pay the EMIs under the interest subvention scheme but now they are being sought from the complainant and even recovery proceedings have been initiated by respondent No.3 i.e. PNB Housing Finance against the complainant. The counsel for the respondent No.2 refers to NCLAT order in CA No.567 of 2018 in terms of which no proceedings can continue against the corporate		



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

01/24/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

debtors i.e. respondent No.2. Similar cases are adjourned sine die by this authority.

Arguments heard.

To come up on 24.05.2023 for orders on the issue of maintainability of the complaint in the present stage.

Ashok Sangwan
Member
01.03.2023