



HARERA
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HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

PROCEEDINGS OF THE DAY		61
Day and Date	Wednesday and 04.10.2023	
Complaint No.	CR/3532/2023 Case titled as Mohit Mittal Vs Sarv Realtors Private Limited & Supertech Limited	
Complainant	Mohit Mittal	
Represented through	Shri Harshit Batra, Advocate	
Respondent	Sarv Realtors Private Limited & Supertech Limited	
Respondent Represented through	Shri Bhirgu Dhami, Advocate	
Last date of hearing	First hearing	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint was filed on 28.07.2023 and registered as complaint no. 3532 of 2023. As per the registry, the complainant has sent a copy of the complaint through speed post as well as through email, and proof regarding having the delivery of the complaint made to the respondents was submitted by the complainant as available in the file. The registry of the authority also sent a notice along with a copy of the complaint through speed post. Registry has also sent the notice along with a copy of the complaint through email at the following email addresses **headoffice@supertechlimited.com**, **iphiteshgoel@gmail.com**

The same is shown to have been delivered to the above email address as per the report available in the file. It is proper service of the notice.



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CR/3532/2023

Counsel for the complainant states that the complaint has been filed against three respondent one of them is M/s Supertech Limited which the respondent is stating to have been under CIRP proceedings. The remaining two respondents including one as IRP of Supertech Limited have also not filed written reply to the complaint. Counsel for the respondent states that IRP is not an independent party and who is a representative of Supertech Limited who is under insolvency and since Supertech Limited had executed the BBA and made the allotment and got the payments. The respondent no.1 which is Sarv Realtors Pvt. Ltd. and who is co-promotor as per the counsel for the complainant is not under insolvency and should have filed the reply to the complaint as it is very well mentioned in the suo-moto No.5802/2019 orders of 29.11.2019 of this very authority which is already a part of the complaint and in which it was very clear mentioned that both Supertech and Sarv Realtors are jointly and severally liable.

Counsel for the respondent states that the complainant has impleaded M/s Supertech Limited, knowing well that Supertech Limited is under insolvency and moratorium is going on on that company hence proceedings cannot be continued in the matter.

Counsel for the complainant states that even it is proved that there is moratorium on the Supertech limited, there is no bar on proceedings against the other respondents of the complaint and hence the other respondents are duty bound to file the reply to the complaint.

Counsel for the respondent states that he wishes to file the application for maintainability of the complaint as one of the respondent is already under insolvency. However, counsel for the complainant states that the counsel for



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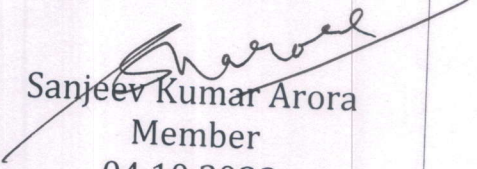
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the respondent should file an affidavit specifically with regard to this project and to clarify whether this project is under CIRP or not. Counsel for the respondent states that affidavit to this effect has already been filled and shall provide a copy of the same to the counsel for the complainant also within a week.

Matter to come up on 10.1.2024 for further proceedings.


Sanjeev Kumar Arora
Member
04.10.2023