

38 Hanif Quershi and Anr. Vs M/s Ramprashtha Promoter and Developers Pvt. Ltd. Ex/649/2022

Present: Mr Nilotpal Shyam Adv for DH

None for JD

Recovery certificate was issued to the Collector, Gurugram in this matter on 18.12.2023 to recover decretal amount as arrears of land revenue. In view of order/circular issued by Chief Secretary Government of Haryana, no. 50/15/20240-5S (1) dated 11<sup>th</sup> May 2024, powers of the Collector have been conferred upon the Adjudicating Officer and all the recovery certificates have been received back.

As per learned counsel for DH, no amount has been recovered through Collector, Gurugram till now. He requests to resume executing proceedings.

In view of the facts as mentioned above, request of learned counsel for DH is allowed and the execution proceedings are resumed.

Learned counsel for DH requests for direction to JD to disclose its assets/properties including bank account and unsold inventories which can be attached to realize the decretal amount. Request is allowed. JD is directed to disclose its assets/properties including bank account and unsold inventories which can be attached to realize the decretal amount. Information be given in the form of affidavit to be sworn by anyone from directors of JD, preferably by Managing Director. At the same time, recovery officer (Recovery Cell) of Authority be asked to enquire about the properties of JD and to file his report till next date.

It is submitted by learned counsel for DH that on his application the authority modified order under execution vide order dated 02.01.2024. Copy of such an order is put on file. The authority clarified through said order that <sup>apart from</sup> ~~decide~~ payment of delay possession charges in terms of above order, <sup>the</sup> respondent is required to hand over possession of subject unit after obtaining OC/CC/part CC from competent authority-----within two

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months, <sup>15</sup> as per Section 19(10) of the Act of 2016. Contending that no possession has been handed over till now. Learned counsel requests for <sup>to</sup> arrest directors of JD. Written application has been filed in this regard. Issue show cause notice to directors of JD as why same be not committed to civil prison for not handing over possession of subject unit. Reply be called till next date.

To come on 03.04.2025 for further proceedings.



(Rajender Kumar)  
Adjudicating Officer,  
06.11.2024