



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. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

PROCEEDINGS OF THE DAY

36

Day and Date

Friday and 21.02.2025

Complaint No.

CR/813/2023 Case titled as Viral Navnit Lal Mehta VS Raheja Developers Limited

Complainant

Viral Navnit Lal Mehta

Represented through

Shri Geetansh Nagpal, Advocate

Respondent

Raheja Developers Limited

Respondent Represented

Ms Harshita Setia, proxy counsel for R-1
Shri Vikas Vashisht, proxy for R-2 (ICICI BANK)
None on behalf of IRP

Last date of hearing

13.12.2024

Proceeding Recorded by

Naresh Kumari and HR Mehta

Proceedings

The present complaint was filed on 24.02.2023. Vide proceedings dated 03.11.2023 the defence of the respondent was struck off.

On the date of hearing 13.12.2024, the counsel for the complainant stated that no moratorium continues against the present project in question as the order dated 21.11.2024 passed by NCLAT, New Delhi has clarified that the insolvency shall continue with one project only i.e. Raheja Shilas. Notice was issued to IRP to clarify the status with respect to moratorium under section 14 of the IBC in respect of the respondent company.

The counsel for the complainant states that it is a peculiar situation where the complainant cannot approach the NCLT for filing a claim and neither can the complainant seek relief against the respondent. The counsel for the complainant refers to orders dated 4.12.2024 passed by this Authority in the matter of Arun Srivastava V/s Raheja Developers Limited wherein the relief of refund was allowed.



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CR/813/2023

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Despite notice, IRP has not responded. In view of the above, there is no option but to proceed in the matter which is pending for two years. It is clear that there is no CIRP against the project of the complainant.

In view of the above, refund is allowed alongwith prescribed rate of interest i.e. @ 11.10% per annum from the date of each payment till its realization.

Detailed orders will follow.

Ashok Sangwan
Member
21.02.2025