

3. Atul Kumar Varshney vs Imperia Wish-field Ltd. E/924/2024

Present: - Mr. Amit Kumar, Advocate for DH.
Mr. Geetansh Nagpal, Advocate for JD.

Fresh calculation is given by learned counsel for DH. Learned counsel undertakes to give copy to the JD today itself.

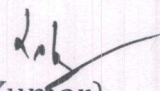
Certain objections are filed on behalf of JD. Learned counsel for JD requests for adjournment for argument. No reason is explained. Request is declined.

Heard. It is submitted by learned counsel for JD that his client is entitled for exemption for six months i.e. period of COVID-19 as well as period of moratorium during which proceedings were pending before NCLT.

Through order under execution, the respondent/promoter has been directed to refund the entire amount of Rs.23,24,056/- paid by the complainants along with prescribed rate of interest @ 10.70% p.a. No such exemption has been granted by the Authority. Being Executing Forum, A.O cannot go beyond the decree. No weight in this objection. Same is thus dismissed.

Learned counsel for DH requests for adjournment to give detail of properties of JD which can be attached to realize the decretal amount. Allowed. Be filed till next date.

To come on 09.04.2025 for further proceedings.


(Rajender Kumar)

Adjudicating Officer,

19.11.2024