



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 371 OF 2018

Shakul Malik and Sh. Raj Kumar Takshak

....COMPLAINANTS

VERSUS

Dwarkadhis Projects Pvt. Ltd.

....RESPONDENT

2. COMPLAINT NO. 2616 OF 2019

Mr. Indrajeet Yadav

....COMPLAINANT

VERSUS

Dwarkadhis Projects Pvt. Ltd.

....RESPONDENT

CORAM: Parneet S Sachdev

Chairman

Nadim Akhtar

Member

Dr. Geeta Rathee Singh

Member

Chander Shekhar

Member

Date of Hearing: 18.04.2024

Hearing: 24th (in complaint no. 371/ 18)

15th (in complaint no. 2616/ 19)

Present: - Mr. Mahinder Singh, proxy counsel for Sh. Sushil Jain Advocate
for complainants (in complaint no. 371/2018)
Mr. Hunar, proxy counsel for Mr. Shobit Phutela (in complaint no.
2616/2019)
Mr. Mukul Gupta, proxy counsel for Mr. Alok Mittal, counsel for
respondent.

ORDER (PARNEET S SACHDEV-CHAIRMAN)

1. Ld counsel for respondent in the above captioned complaints stated that entire management of the company is with Interim Resolution Professional (IRP). As per para 51 of NCLT order dated 06.03.2024, Corporate Insolvency Resolution Process (CRIP) is against the respondent and Mr. Lekhraj Bajaj has been appointed as IRP. Ld counsel for respondent further stated that NCLT order dated 06.03.2024 has been upheld by the NCLAT vide order dated 20.03.2024 also, relevant para is as under for reference:

"51. In the wake, moratorium as provided under Section 14 of IBC, 2016 is declared qua the CD and as a necessary consequence thereof the following prohibitions are imposed, which must be followed by all and sundry:



(a) The institution of suits or continuation of pending suits or proceedings against the Respondent including execution of any judgment, decree or order in any court of law, tribunal, arbitration panel or other authority;

(b) Transferring, encumbering, alienating or disposing of by the Respondent any of its assets or any legal right or beneficial interest therein;

(c) Any action to foreclose, recover or enforce any security interest created by the Respondent in respect of its property including any action under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002;

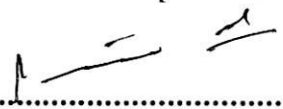
(d) The recovery of any property by an owner or lessor, where such property is occupied by or in the possession of the Respondent."

2. In consonance with the orders of NCLT, Authority deems fit to stay the proceedings against the respondent.
3. Cases are adjourned to 26.09.2024.


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CHANDER SHEKHAR
[MEMBER]


.....
DR. GEETA RATHEE SINGH
[MEMBER]


.....
NADIM AKHTAR
[MEMBER]


.....
PARNEET SINGH SACHDEV
[CHAIRMAN]