



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 01 of 2021

Seema Gulati

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

2. COMPLAINT NO. 180 of 2021

Susma Rani and Anr.

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

3. COMPLAINT NO. 401 of 2021

Satpal Kundal

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

4. COMPLAINT NO. 402 of 2021

Rajbir

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

5. COMPLAINT NO. 509 of 2020

Rajesh Kumar

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

6. COMPLAINT NO. 649 of 2019

Mrs. Jyoti Chopra

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

7. COMPLAINT NO. 721 of 2021

Navneet Kalia

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

8. COMPLAINT NO. 981 of 2019

Ram Kishan Madaan and Anr.

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

9. COMPLAINT NO. 1230 of 2020

Pawan Kundra

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

10. COMPLAINT NO. 1420 of 2020

Reena

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

11. COMPLAINT NO. 2217 of 2019

Sajid Ali

....COMPLAINANT

VERSUS



Aegis Value Homes Ltd.

....RESPONDENT

12. COMPLAINT NO. 2299 of 2019

Rakesh Sandhu

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

13. COMPLAINT NO. 2851 of 2019

Sudesh Kumari

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

14. COMPLAINT NO. 2852 of 2019

Amit Kumar Mishra and Anr.

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

15. COMPLAINT NO. 2852 of 2019

Sagar Arora

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

CORAM: **Dr. Geeta Rathee Singh**

Member

Nadim Akhtar

Member

Date of Hearing: 06.12.2022

Hearing: 2nd (in sr. no. 15)

7th (in sr. no. 1,2,9,10,)

9th (in sr. no. 5,7)

10th (in sr. no. 3,4,13,14)

11th (in sr. no. 11,12)

12th (in sr. no. 8)

14th (in sr. no. 6)

Present: Mr. Nitin, Ld. counsel for the complainant (in sr. no. 1,2,& 3)

Ms. Navneet, Ld. Counsel for the complainant (in sr.no. 7, 8, 10)

Mr. Gaurav Chaudhary, Proxy counsel for the complainant (in sr. no. 11,12)

Mr. Sanjeev Gupta, ld counsel for the complainant (in sr. no. 4 and 5)

Mr. Akshat Mittal, Ld. counsel for the complainant (in sr. 13 and 14)

None for the complainant (in sr. no.6,9)

Mr. Sanjay Jain, Ld. counsel for the respondent.

ORDER (NADIM AKHTAR - MEMBER)

When the matter was called up, none appeared on behalf of the respondent. On the last date of hearing counsel for respondent Mr. Sanjay Jain apprised the Authority that proceedings under Insolvency and Bankruptcy Code (Amendment) Act, 2018 has been initiated against respondent before Hon'ble NCLT, New Delhi. He submitted that moratorium has been invoked in terms of section 14 of the Insolvency and Bankruptcy Code (Amendment) Act, 2018 vide orders of Hon'ble NCLT, dated 22.09.2022 and sought adjournment. Relevant part of the order of the Authority dated 12.10.2022 is reproduced below:



While initiating his pleadings ld. counsel for the respondent apprised the Authority that proceedings under Insolvency and Bankruptcy Code (Amendment) Act, 2018 has been initiated against respondent before Hon'ble NCLT, New Delhi and henceforth moratorium has come into force as per section 14 of the Insolvency and Bankruptcy Code (Amendment) Act, 2018 vide orders of Hon'ble NCLT, vide order dated 22.09.2022. In view of above, the counsel for the respondent stated that cases pending before this Authority be stayed till further orders vide order dated 22.09.2022. In corroboration of the same respondent has submitted an application for stay dated 11.10.2022 alongwith order of Hon'ble NCLT, New Delhi dated 22.09.2022 and resolution dated 19.09.2022.

2. Counsels for complainants appeared in their matters and pressed for their respective reliefs. None appeared on behalf of respondent to apprise about status of CIRP proceedings and also complainants were unaware about the present status of the proceedings. Thus, Authority is bound to not proceed in these matters under section 14 of Insolvency and Bankruptcy Code (Amendment) Act, 2018.
3. Later at noon, ld. counsel for respondent appeared before the Authority and submitted that CIRP proceedings are still pending before the Hon'ble NCLT, New Delhi and therefore sought adjournment.
4. Authority while pursuing the NCLT orders observed that CIRP proceedings are pending against the project Aegis Woods. The Authority enquired from the counsel for respondent about the status other project (if any) of the respondent viz-a-viz CIRP proceedings, however counsel had no



satisfactory answer and sought time to seek instructions regarding the same from his client.

5. In light of present facts and documents submitted by both the parties, Authority observes that there is still no clarity with regard to status of CIRP proceeding with respect to other project of the respondent which are also in dispute. Authority had gone through the order of Hon'ble NCLT, New Delhi dated 22.09.2022, through which it is confirmed that insolvency proceedings are pending against the respondent company i.e. Aegis Smart Value Homes. However, further reading of order also reveals that creditor had filed specific claim against the respondent company in project "AEGIS WOODS". Authority also observes that complainants filed their claims against different projects of the respondent before the Authority. Further, perusal of para 3 of site report submitted by local commissioner dated 07.07.2022, reveals that Aegis Homes and Aegis woods are two separate projects.

6. In order to have transparency in facts of the case and for proper adjudication of these matters, Authority directs all the complainants to file an application in the Authority mentioning their specific details of their booked unit in respective projects and details of payments along with all the necessary details of location and any other necessary details deemed necessary for appropriate adjudication of their matters. Authority also directs respondents to submit an affidavit on record about all the projects being developed by the respondent company has carried out so far at Karnal and details of operative and



dormant projects along with details of directors and legal representatives of the respondent company. Authority grants last opportunity to respondent to submit their reply in respective cases and exchange a copy in advance with the complainants failing which Authority will be imposing a heavy cost on respondent company. .

4. Cases are adjourned to **02.03.2023**


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DR. GEETA RATHEE SINGH
[MEMBER]


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NADIM AKHTAR
[MEMBER]