



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

महाराष्ट्र, इन्डिया, सी. विभाग गृह, सिविल लाईन, गुरुग्राम, हरियाणा

PROCEEDINGS OF THE DAY

55,
89
to
156

Day and Date

Friday and 06.10.2023

Complaint No.

CR/1940/2018 Case titled as MRS
NAMITA DAS AND MR SUBHASIS DAS Vs
SUPERTECH LIMITED

Complainant

MRS NAMITA DAS AND MR SUBHASIS
DAS

Represented through

Shri Ishant Garg., Harshit Batra, Sanjeev
Sharma, Sukhbir Yadav, Venkat Rao,
Sushil Yadav and others

Respondent

SUPERTECH LIMITED

Respondent Represented
through

Shri Bhriugu Dhami Advocate
Shri Hitesh Goel - IRP
Ms. Isha Dang AR in person

Last date of hearing

22.09.2023

Proceeding Recorded by

Naresh Kumari

Proceedings

The counsel for the respondent and the IRP present in person as per directions of the authority state that they have already filed the affidavit as well as status of construction of various projects, as per the directions of authority vide its order dated 25.08.2023. The affidavit was filed on 27.09.2023 and the construction status report was filed on 03.10.2023. The copy of the same has been handed over to all the concerned parties still if counsel of any concerned party has not received the same, the counsel for the respondent is hereby ready to hand over the copy of the same to the concerned complainant or his counsel.



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण/गुरुग्राम
CR/1730/2023

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.डब्ल्यू.डी. विधान भूख, सिविल लाइन्स, गुरुग्राम, हरियाणा

IRP present in person stated that moratorium is applicable on all the projects of Supertech Ltd. and the same had been granted by Hon'ble NCLT New Delhi on its order dated 25.03.2022. Further stated that an appeal was filed against this order by the Suspending Directors before Hon'ble NCLAT in appeal No.406 of 2022 which is still pending before the Hon'ble NCLAT. However an interim order was passed in that appeal stating that CoC was restricted to ECO village-II and all other projects of Supertech Ltd. were to be constructed under the supervision of IRP alongwith the assistance of ex-management employees and workmen vide its order dated 10.06.2022. Further on 12.09.2022 the Hon'ble NCLAT Delhi further passed an order "CIRP order has not been stayed, the moratorium is continuing". Further, stated that the orders dated 10.06.2022 of NCLAT was challenged before Hon'ble SC which was heard by the Hon'ble SC and an interim order was issued upholding the orders dated 10.06.2022 of NCLAT. This interim order was passed by the Hon'ble SC on 11.05.2023 and it was further listed for hearing on 24.08.2023 but on that date due to any reason, the matter could not be taken up and the next date of hearing is still not notified. Further stated that the NCLAT is continuously hearing the appeal and the next date of hearing is 19.10.2023. Further stated that Hon'ble NCLAT vide its order dated 5.07.2023 categorically stated after taking into consideration the orders of Hon'ble SC that "In view of the fact that it is IRP who is under control of the entire CIRP in all projects, it is necessary that the status report which is submitted in the Court should be put on the website of the Supertech so that it can be assessed by everyone".

Further the counsel for the complainant in CR No.1730 of 2023 and CR No.2144/2021, 424/2022 and some other complaints states that project Azalia and Hues are not covered in the list of the projects in which moratorium is continuing, hence those should be taken up separately. Further IRP present in person states that he has already admitted the claims of various allottees from the projects Azalia and Hues as treating them as contingent liability of the corporate debtor i.e. Supertech Ltd.

The counsel for the complainants states that they are not aware about the claims being asked for by the IRP of Supertech in case of the projects of Azalia



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम
CR/1940/2018

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.डब्ल्यू.डी. विभाग गृह, सिविल लाइन्स, गुरुग्राम, हरियाणा

and Hues. The counsel for the respondent and IRP present in person states that the claim of projects Azalia and Hues were admitted by him after the order dated 14.10.2022 of Hon'ble NCLAT. IRP present in person further states that they are still accepting the claims of allottees of Azalia and Hues for the purpose of verification. The authority hereby directs IRP to submit a copy of the claims admitted by him within a period of 15 days and the same may be uploaded on the website of the authority also.

Complainants are free to file the response to the affidavit filed by IRP within 15 days.

IRP to be present before the authority and co-operate as and when required just to safeguard interest of the allottees and subject to final directions of the Hon'ble NCLAT and Hon'ble SC.

Arguments heard.

Since the matter is sub-judice before the NCLAT and Hon'ble SC it is being adjourned to 12.01.2024 for further proceedings.

Sanjeev Kumar Arora
Sanjeev Kumar Arora
Member
06.10.2023