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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	
Day and Date	Friday and 19.04.2024
Complaint No.	<p>CR/2438/2022 Case titled as Garima Kaushik VS Sarv Realtech Private Limited And Supertech Limited</p> <p>CR/6349/2019 Case titled as SWATI SINGH VS SUPERTECH LIMITED</p> <p>CR/440/2020 Case titled as MOHIT KOHLI AND ARPITA KOHLI VS SUPERTECH LIMITED</p> <p>CR/454/2020 Case titled as ABHISHEK PRADHAN AND PREETI PRADHAN VS SUPERTECH LIMITED</p> <p>CR/1940/2018 Case titled as MRS NAMITA DAS AND MR SUBHASIS DAS VS SUPERTECH LIMITED</p> <p>CR/1745/2019 Case titled as VIKRAM BHATIA VS SUPERTECH LIMITED</p> <p>CR/212/2019 Case titled as SHRI MOHAN LAL VS SUPERTECH LIMITED</p> <p>CR/316/2019 Case titled as ANOOP KUMAR CHAUHAN VS SUPERTECH LIMITED</p> <p>CR/5757/2022 Case titled as Mani Ram Saini VS Supertech Limited</p> <p>CR/7509/2022 Case titled as Mohit Kumar Singh and Pooja Rani VS Supertech Limited</p> <p>CR/7798/2022 Case titled as Vinod Kumar Chaudhry and Suman Chaudhary VS Supertech Limited</p>

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	CR/5557/2022 Case titled as Suchet Kumar VS SUPERTECH LIMITED
	CR/5585/2022 Case titled as Rashmi Singh VS SUPERTECH LIMITED
	CR/5586/2022 Case titled as Rashmi Singh VS SUPERTECH LIMITED
	CR/5847/2022 Case titled as Rajender Mohan Dhar and Usha Nehru VS SUPERTECH LIMITED & Sarv Realtors Private Limited
	CR/1730/2023 Case titled as Santosh Dhwan VS Supertech Limited
	CR/424/2022 Case titled as Anurag Chugh VS SUPERTECH LIMITED
	CR/427/2022 Case titled as Anurag Chugh VS SUPERTECH LIMITED
	CR/425/2022 Case titled as Anurag Chugh VS SUPERTECH LIMITED
	CR/426/2022 Case titled as Anurag Chugh VS SUPERTECH LIMITED
	CR/263/2022 Case titled as Anurag Chugh VS SUPERTECH LIMITED
	CR/429/2022 Case titled as Naina Raheja VS SUPERTECH LIMITED
	CR/6968/2022 Case titled as Arun Lata Sharma and Keshvi Batsa VS SUPERTECH LIMITED
	CR/7260/2022 Case titled as Divesh Dubbey and Anubhava Upadhyay VS SUPERTECH LIMITED
	CR/6117/2022 Case titled as Sushmita Das VS Supertech Limited



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	<p>CR/6482/2022 Case titled as Amit Kumar Jha and Anita Singh VS Supertech Limited</p> <p>CR/2337/2018 Case titled as RAJVINDER KAUR JAUHAR VS SUPERTECH LIMITED</p> <p>CR/155/2021 Case titled as SAURABH SETHI VS SUPERTECH LIMITED</p> <p>CR/203/2021 Case titled as SMT NEETU SHARMA VS SUPERTECH LIMITED</p> <p>CR/232/2021 Case titled as RACHNA AGARWAL CHANANA VS SUPERTECH LIMITED</p> <p>CR/5503/2022 Case titled as Nitika Bholawasi VS SUPERTECH LIMITED</p> <p>CR/6301/2022 Case titled as Shaily T Khanduri and Atul Khanduri VS Supertech Limited</p> <p>CR/6267/2022 Case titled as Balraj Singh VS Supertech Limited</p> <p>CR/1571/2018 Case titled as VIJAY MOHAN AND RAJUL MOHAN VS SUPERTECH LIMITED</p> <p>CR/1303/2019 Case titled as PARAMJEET VS SUPERTECH LIMITED</p> <p>CR/7286/2022 Case titled as Bhupender Singh Rao VS SUPERTECH LIMITED</p> <p>CR/1289/2023 Case titled as Rajesh Kumar Soota and Pooja Khetarpal VS Parsavnath Developers Limited and Supertech Limited</p> <p>CR/2688/2019 Case titled as RAJ KUMAR AND SMT JAYANTI DEVI VS SUPERTECH LIMITED</p> <p>CR/402/2019 Case titled as AMBRISH</p>
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~~PRATAP SINGH SO SH R D SINGH VS~~
~~SUPERTECH LIMITED~~

CR/404/2019 Case titled as SEEMA
WALIA DO DHARAMVIR WALIA VS
SUPERTECH LIMITED

CR/5381/2022 Case titled as Neha Dhall
and Vikas Robert VS Supertech LIMITED

CR/6786/2022 Case titled as Sharad
Singhal and Juhi Singhal VS SUPERTECH
LIMITED

CR/6130/2022 Case titled as Kamla
Kishor Singh VS Supertech Limited

CR/6339/2022 Case titled as Santosh Lal
Vani VS Supertech Limited

CR/6346/2022 Case titled as Kundan
Kumar VS Supertech Limited

CR/6982/2022 Case titled as Ms. Shakti
Sharma VS SUPERTECH LIMITED

CR/2677/2020 Case titled as INDIRA
GANDHI AND ROHIT GANDHI VS
SUPERTECH LIMITED

CR/2913/2020 Case titled as BIBHUTI
PRASAD AND PRITI KUMARI VS
SUPERTECH LIMITED

CR/3654/2020 Case titled as DIWAKER
DINESH VS SUPERTECH LTD

CR/2676/2021 Case titled as Abhey
Keshwani VS SUPERTECH LIMITED

CR/2713/2021 Case titled as VIPIN
KAPOOR VS SUPERTECH LIMITED

CR/2755/2021 Case titled as VIKRAM
VASAL AND MONIKA VASAL VS
SUPERTECH LIMITED

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	CR/2830/2021 Case titled as AKSHAY SETHI AND ADITI SETHI THROUGH ADITYA SETHI VS SUPERTECH LIMITED
	CR/2940/2021 Case titled as Moh.Moin Sheikh VS SUPERTECH LIMITED
	CR/2951/2021 Case titled as MR MRINAL SHARMA AND MRS MADHUSMITA SHARMA VS SUPERTECH LIMITED
	CR/1164/2021 Case titled as NISCHAL DUBEY VS SUPERTECH LIMITED
	CR/1206/2021 Case titled as NILIMA JOSHI VS SUPERTECH LIMITED
	CR/1282/2021 Case titled as MRS UMA VS SUPERTECH LIMITED
	CR/1339/2021 Case titled as Rashmi Aneja VS SUPERTECH LIMITED
	CR/1355/2021 Case titled as Parmod Behari Mathur VS SUPERTECH LIMITED
	CR NO.1888/2021 YOGESH KUMAR AND ROSY SABHARWAL V/S SUPERTECH LIMITED
	CR NO.2144/2021 MUKESH JAIN AND ASHI ASTHANA V/S SUPERTECH LIMITED
	CR/2361/2021 Case titled as SURINDER AHLAWAT AND MRS SAVITRI AHLAWAT VS SUPERTECH LIMITED
	CR/2515/2021 Case titled as VISHAL GOSWAMY VS SUPERTECH LIMITED
	CR/2585/2021 Case titled as MILKESH A MISTRY AND SHALINI APARNA M MISTRY VS SUPERTECH LIMITED
	CR/1764/2021 Case titled AS MEGHA RAINA VS SUPERTECH LIMITED

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		<p>CR/3162/2021 Case titled as RITU PATNEY AND ANOTHER VS SUPERTech LIMITED</p> <p>CR/365/2021 Case titled as RAKESH AHUJA AND ANOTHER VS SUPERTech LIMITED</p> <p>CR/385/2021 Case titled as VAIBHAV BAWEJA VS SUPERTech LIMITED</p> <p>CR/1769/2021 Case titled as SANJEEV GUPTA VS SUPERTech LIMITED</p> <p>CR/1770/2021 Case titled as SANJEEV GUPTA VS SUPERTech LIMITED</p> <p>CR/3079/2023 SHAILJA BHAYANA V/S SARV REALTORS AND SUPETech LIMITED</p> <p>CR/3072/2023 RAJAT BHAYANA AND ANMOL BHAYANA V/S SARV REALTORS AND SUPERTech LIMITED</p> <p>CR 2822/2023 AEKTA SHARMA V/S SARV REALTORS ND SUPERTech LIMITED</p> <p>CR 2715/2023 AKANSHA BHASIN AND NIKUNJ BHASIN V/S DSC ESTATE DEVELPERS PVT.LTD. AND SUPERTech LIMITED</p> <p>CR/3512/2023 case titled as Deepak Kumar Mongia Vs. DSC Estate Developers Private Ltd.& Supertech Ltd.</p> <p>CR/3596/2023 case titled as Soumtjit Bhowmik Vs. DSC Estate Developers Private Ltd. & Supertech Ltd.</p> <p>CR 3616/2023 NITIN KUMAR SINGH V/S DSC ESTATE DEVELPERS PVT.LTD. AND</p>
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	SUPERTECH LIMITED CR 3571/2023 MOHAN SHARMA V/S DSC ESTATE DEVELPERS PVT.LTD. AND SUPERTECH LIMITED CR/3583/2023 case titled as Nand Kishore Avantsa and Udbhav Avantsa versus Sarv Realtors Private Ltd.& Supertech Ltd. CR/3532/2023 case titled as Mohit Mittal versus Sarv Realtors Private Ltd. & Supertech Ltd
Complainants represented through	S/Shri Sukhbir Yadav, , Garvit Gupta, , Sushil Yadav,, , Abhijeet Gupta, Ishwar Singh Sangwan, Meenan, Harshita Setia, Rajan Gupta, Himanshu Gautam, Sahil Dagar, Rahul Thareja, Sunil Magan, Abhey Narula, Ajay Kumar Singh, Vinit Jain, Rohal Suhag, Ravi Rao, CM Sharma Yamini, Rahul Sodhi, Nitish Harsh Gupta, Advocates
Respondent	Supertech Limited
Respondent Represented through	Shri Mohit Arora, Director of M/s Sarv Realtors and DSC Estates Pv. Ltd. Shri Hitesh Goyal, IRP, Shri Bhupinder Preni and Rohit Arora, Advcoates on behalf of M/s Sarv Realtors and M/s DSC Estates Pvt Ltd. Mr. Bhriugu Dhami on behalf of Supertech Limited. Ms. Simran proxy counsel on behalf of Indiabulls in CRs at serial no.62, 98 and
Last date of hearing	06.10.2023
Proceeding Recorded by	Naresh Kumari and HR Mehta



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Proceedings

Since the IRP - respondent No.1 who stepped the shoes of Promoters as per orders of the Hon'ble NCLT, did not timely complied with the directions of the Authority dated 12.01.2024 which was to be complied within 15 days, the Authority hereby imposes a penalty of Rs. One Lakh as per provision of section 63 of the Act, 2016.

Shri Hitesh Goel - IRP present in person stated that no separate books of account of each project were being maintained upto 25 March 2022 i.e. the date when the moratorium was imposed. Further stated that even now no separate books of account is being maintained for each project, only MIS is being prepared and hence they have not filed QPRs. IRP further stated that he has taken the charge of company Supertech Ltd. on as is where is basis and since no separate balance sheets of each project used to be prepared, hence, he could not do the compliances of the directions which were pending for compliance prior to his appointment as IRP of the company and further since June, 2022 he has tried to maintain separate bank account of each project of the company. Further stated that since the registration of most of Gurugram projects have already been elapsed and renewal of the same/extension of the same is still pending. Although they had moved an application No.1172 of 2022 dated 06.02.2023 for extension which was rejected by the authority on 14.11.2023 on account of non-compliances of various deficiencies pointed out by the Authority and non-payment of fee for extension payable to RERA, as per copy of the acknowledgement being filed today in the registry of the authority. Further stated that assets and liabilities of M/s Sarv Realtors and M/s DSC Estate Developers after imposition of moratorium have not been transferred to the management of those companies as he is unable to do so the same as moratorium is going on the whole company of Supertech Ltd. and there is no direction w.r.t the same from Hon'ble NCLT. Further stated that they have enclosed with the affidavit Annexure-J from page 82 to 89 which is details of transfer entries dated 31.03.2020 passed on to M/s Sarv Realtors and M/s DSC Estate Developers. IRP further stated that there was an interim order from Hon'ble NCLAT Delhi after submissions of resolution proposal by the ex-promoters of the company

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i.e. Supertech Ltd. which is still pending for decision and next date of hearing is 03.05.2024 and once that proposal gets through/approved by NCLT only then further process of revalidation of licence and renewal of RERA registration shall be taken up.

Shri Mohit Arora director of M/s Sarv Realtors and M/s DSC Estate Developers is present in person and filed authorization letter and copy of DIN and counsel of M/s Sarv Realtos Ltd. and M/s DSC Estate Developers have filed Power of Attorney. Mr.Mohit Arora agreed and stated that they had taken over M/s Sarv Realtors and M/s DSC Estate Developers from M/s Supertech Limited and now they are running the projects and bank accounts of these are being managed by them.

The counsels for the complainant (s) states that since the IRP has not filed the QPR and has not updated the status of the project, they are unable to know the factual position of the project. Further stated that since the IRP entered into the shoes of promoter in June, 2022 and had been assigned the power of supervision of each and every project of Supertech Ltd. and he must do the compliances.

The counsels for the complainants further stated that IRP as well as management of M/s Sarv Realtors and M/s DSC Estate Developers are not disclosing the exact status of the projects Hues and Azalia. Further stated that as per affidavit filed by IRP, if the projects Hues and Azalia already stands transferred to M/s Sarv Realtors and M/s DSC Estate Developers on 31.03.2020 then why M/s Sarv Realtors and M/s DSC Estate Developers are not doing compliances, The Authority must direct them to do the same in the interest of the allottees. The counsel for M/s Sarv Realtors and M/s DSC Estate Developers and Mr.Mohit Arora states at bar that they have received all the assets and liabilities of the project "Hues and Azalia" in March 2020.

Shri Rohit Arora - the counsel on behalf of M/s Sarv Realtors and M/s DSC Estate Developers further brought attention of the authority towards para No.5 page 79 of the order of the authority dated 29.11.2019 which is



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reproduced as under:-

(v) All the assets and liabilities including customer receipts and project loans of whatsoever nature, in the Project "Supertech Hues and Azalia" in the name of Supertech Ltd be shifted to Sarv Realtors Pvt Ltd/DSC and others. However, even after the rectification, Supertech Ltd. will continue to remain jointly responsible for the units marketed and sold by it and shall be severally responsible if Sarv Realtors Pvt. Ltd/DSC and others fail to discharge its obligations towards the allottees.

IRP of the company stated that the director of M/s Sarv Realtors and M/s DSC Estate Developers will file the exact status of the project as they have already committed during the proceedings that they have taken over the project on 31.03.2020 from M/s Supertech Ltd. The Authority hereby directs the authorized director of M/s Sarv Realtors and M/s DSC Estates to clarify the exact status of QPRs and updated status of registration of the project Hues and Azalia in the shape of affidavit and that they shall apply for registration /extension of these projects within next 20 days . In case they have not filed the reply to the complaint cases, in which they are impleaded, they will have to file the reply within 15 days.

Part arguments heard.

Matter be put up before the full bench on 27.05.2024 at 3.00 PM for further arguments.


Sanjeev Kumar Arora

Member

19.4.2024