

<b>PROCEEDINGS OF THE DAY</b>		<b>31</b>
Day and Date	Tuesday and 06.08.2024	
Complaint No.	CR/849/2021 Case titled as Amit Sehgal VS Siddharth Buildhome Pvt Ltd	
Complainant	Amit Sehgal	
Represented through	Shri Jasmeet Singh Advocate	
Respondent	Siddharth Buildhome Pvt Ltd	
Respondent Represented	Shri Sagar proxy counsel	
Last date of hearing	16.07.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

#### **Proceedings-cum-order**

The present complaint was filed by the complainant on 09.02.2021 and the reply was received on through e-mail only on 26.02.2021 and the said complaint was adjourned sine die by the authority vide order dated 06.04.2021 in view of order dated 04.03.2021 passed by NCLT declaring moratorium.

Thereafter, the complainant has moved an application dated 13.07.2023 for restoration of present complaint stating that vide order dated 24.05.2023, Ld. NCLT, Bench III, New Delhi has revived and restored the respondent company to its original position. In view of the above, the complainant is requesting that the present complaint is liable to be revived. The said application was allowed and the present application was allowed vide order dated 24.08.2023.

The counsel for the respondent has filed an application dated 26.12.2023 for dismissal of the complaint in view of the revival plan which is a settlement proposal between homebuyers, bank and the respondent. As per Chapter 14 of the said plan, the allottees of the project specifically agreed that they shall not pursue/initiate any and all legal proceedings against the respondent. It is further stated that no claim survives once the complainant herein has agreed to the said revival plan and moreover, the interest of the complainant herein has already been addressed in terms of the revival plan. The same is not



**HARERA**  
**GURUGRAM**

**HARYANA REAL ESTATE REGULATORY AUTHORITY**  
**GURUGRAM**

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CR/849/2021

New PWD Rest House, Civil Lines, Gurugram, Haryana


नया पी. डब्ल्यू. डी. विश्राम गृह, सिविल लाईन्स, गुरुग्राम, हरियाणा


maintainable as the complainant is signatory to a resolution plan filed and approved by NCLT.


On last date of hearing i.e., 25.01.2024, the counsel for the complainant was directed to file response to the aforesaid dismissal application. However, the same has not been filed till date.

Shri Jasmeet Singh Advocate has appeared on behalf of the complainant and filed power of attorney today.

In view of the above the application for restoration of the complaint stands dismissed as the complainant allottee was party to the revival plan filed before NCLT and if the same is not being honored by the respondent, the complainant is at liberty to approach the concerned authority for relief and necessary directions. File be consigned to the registry.

  
Ashok Sangwan  
Member

  
Vijay Kumar Goyal  
Member

  
Arun Kumar  
Chairman  
06.08.2024