

BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

**Appeal No.801 of 2022 (O&M)
Date of Decision: 17.07.2024**

- i. Manoj Kumar Singh son of Kedar Nath;
- ii. Usha Bala wife of Manoj Kumar Singh both are resident of House No. 464, Sector-8, Part-II, Karnal, Haryana-132001.

Appellants

Versus

- i. M/s Dwarkadhis Projects Pvt. Ltd.;
 - ii. Mr. Sulekha Jain MD of M/s Dwarkadhis Projects Pvt. Ltd.;
 - iii. Aakriti Projects Pvt. Ltd.;
 - iv. MD Aakriti Projects Pvt. Ltd.;
- Registered office at PD4A, Pitampura, New Delhi 110088.

Respondents

CORAM:

Justice Rajan Gupta Chairman

Present: Ms. Reena Rao, Advocate,
for the appellants.

Mr. Mukul Gupta, Advocate,
for the respondents.

O R D E R:

Rajan Gupta, Chairman (Oral):

It appears that Appeal No.393 of 2023 titled as “M/s Dwarkadhis Projects Pvt. Ltd. v. Manoj Kumar Singh” was preferred by M/s Dwarkadhis Projects Pvt. Ltd. (respondent No.1 herein) and same was dismissed vide order dated 03.04.2024. Operative part thereof reads as under:-

“4. *Having considered the issue in light of the proviso to Section 43(5) of the Act, this Bench is of the*

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considered view that the present appeal cannot be entertained in the present form as pre-deposit has not been made. Same is dismissed as such.

5. *File be consigned to the records.*

6. *At this stage, Mr. Gupta submits that appellant-company (M/s Dwarkadish Projects Pvt. Ltd.) has gone into CIRP.”*

2. In view of above, learned counsel for the appellant submits that she may be allowed to withdraw the instant appeal as M/s Dwarkadhis Projects Pvt. Ltd. has gone into Corporate Insolvency Resolution Process (CIRP). She submits that she intends to pursue her remedy before the appropriate forum.

3. Dismissed as withdrawn.

4. File be consigned to the records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

17.07.2024
CL