



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 2805 OF 2023

Kumar Shashank

.....COMPLAINANT

Versus

1. Ansal Properties & Infrastructure Ltd.

.....RESPONDENT NO. 1

2. India Bulls Housing Finance Ltd.

.....RESPONDENT NO. 2

**CORAM: Dr. Geeta Rathee Singh
Chander Shekhar**

**Member
Member**

Date of Hearing: 20.05.2025

Hearing: 6th

Present: None for Complainant.

Adv. Sheena Dahiya, Ld. Counsel for IRP of Respondent no. 1
through VC.

None for Respondent No. 2

ORDER

1. Ld. counsel for respondent no. 1 appraised the Authority that the respondent company no. 1 i.e., Ansal Properties & Infrastructure Ltd is presently undergoing Corporate Insolvency Resolution Process (CIRP) under the Insolvency and Bankruptcy Code, 2016, and that a moratorium has been imposed in terms of Section 14 of the said Code pursuant to the order passed by the Hon'ble National Company Law

Tribunal (NCLT) vide order dated 20.02.2025 in C.P. (IB) No. (IB)-558(ND)/2024. The relevant para is reproduced below for reference:-

"14.2. We also declare moratorium in terms of Section 14 of the Code, 2016. The necessary consequences of imposing the moratorium flows from the provisions of Section 14(1)(a), (b), (c) & (d) of the Code. Thus, the following prohibitions are imposed:

- a) The institution of suits or continuation of pending suits or proceedings against the Respondent including execution of any judgment, decree or order in any court of law, tribunal, arbitration panel or other authority;*
- b) Transferring, encumbering, alienating or disposing of by the Respondent any of its assets or any legal right or beneficial interest therein;*
- c) Any action to foreclose, recover or enforce any security interest created by the Respondent in respect of its property including any action under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002;*
- d) The recovery of any property by an owner or lessor, where such property is occupied by or in the possession of the Respondent".*

2. In view of the statutory bar imposed under Section 14 of the Insolvency and Bankruptcy Code, 2016, and considering that the CIRP proceedings may continue for a substantial period of time, this Authority is precluded from proceeding with or adjudicating the present complaint at this stage. Therefore, Authority decides to dismiss the complaint without dealing it on merits.




3. The complainant, however, shall be at liberty to file a fresh complaint before this Authority as and when the decision of the Hon'ble NCLT is announced, upon the conclusion of the CIRP, and only if there is relief remains that the Authority can grant as per statute.

In view of the aforesaid observation, the present case is hereby **dismissed** and accordingly stands **disposed of**. File be consigned to the record room after uploading the order.

4. Today, office has appraised the Authority that there are several matters pending for disposal due to moratorium imposed against the respondent company no. 1 under Insolvency and Bankruptcy Code, 2016. In order to ascertain this issue in all the complaints of the similar nature, a detailed report is called from the office separately, inter-alia mentioning as to how many complaints of same nature are pending. Report be filed by office by 27.05.2025.


CHANDER SHEKHAR
[MEMBER]


DR. GEETA RATHEE SINGH
[MEMBER]