



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

EXECUTION NO. 2215 OF 2022

IN

COMPLAINT NO. 778 OF 2020

Manish Sharma

...DECREE HOLDER

VERSUS

M/s Raheja Developers Pvt. Ltd.

...JUDGEMENT DEBTOR

Date of Hearing: 16.09.2025

Hearing: 12th

Present: - Mr. Rajan Kumar Hans, Learned Counsel for the
Decree holder through VC
None for Judgement debtor

ORDER (DR. GEETA RATHEE SINGH- MEMBER)

1. The present case was adjourned for 01.09.2025. However, as per the observations made by the Hon'ble High Court in CWP No. 14937 of 2024 titled *M/s Vatika Ltd. versus Union of India and others*, in its order dated 24.04.2025, it has been directed that the execution petition be placed before this Hon'ble Authority. Pursuant to the said observations and directions, the present case has been adjourned from the Hon'ble Adjudicating Officer and is now taken up before this Authority for consideration today.

2. Today, the case is fixed for decision on application for setting aside ex-parte order dated 16.12.2024 filed by judgment debtor. In case, said application is allowed, thereafter for filing of an affidavit in compliance with the provisions of Order XXI Rule 41(2) CPC by judgement debtor. Further, vide order dated 25.03.2025 decree holder was directed to file reply to application for setting aside ex-parte order of judgment debtor.
3. No compliance has been made by the decree holder till date and also no application has been filed by the judgment debtor.
4. Today, Adv. Manika appeared on behalf of respondent and submitted that insolvency proceedings qua the respondent company i.e Raheja Developers Ltd. have been initiated before the National Company Law Tribunal vide order dated 21.08.2025 passed in **C.P No. 284 of 2025 titled “ Shravan Minocha and ors Vs Raheja Developers Ltd.”** filed against respondent company. As per order Mr. Brijesh Singh Bhadauriya has been appointed as an Interim Resolution Professional (IRP) for initiation of CIRP against the judgement debtor in present petition and moratorium in terms of Section 14 of the Code has also been declared vide said order. Relevant para(s) of said order are reproduced below for reference:

“ 20.The applicant in Part-III of the application has proposed the name of Mr. Brijesh Singh Bhadauriya as Interim Resolution Professional, having Registration Number - IBBI/IPA-002/N01045/2020-2021/13385 having email id: bsb@bsbandassociates.in. Accordingly, Mr. Brijesh Singh



Bhadauriya is appointed as an Interim Resolution Professional (IRP) for initiation of CIRP for Corporate Debtor. The consent of the proposed interim resolution profession in Form-2 is taken on record. The IRP so appointed shall file a valid AFA and disclosure about non-initiation of any disciplinary proceedings against him, within three (3) days of pronouncement of this order.

21. We also declare moratorium in terms of Section 14 of the Code. The necessary consequences of imposing the moratorium flows from the provisions of Section 14 (1) (a), (b), (c) & (d) of the Code.

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29. We further clarify that since the Corporate Debtor's project "Raheja Shilas (Low Rise)" is already undergoing CIRP pursuant to admission in separate proceedings, the present application, upon being allowed, shall result in initiation of CIRP against the Corporate Debtor in respect of all its projects, excluding the said project "Raheja Shilas (Low Rise)". Accordingly, all directions issued by this Adjudicating Authority in the present matter shall be confined to the Corporate Debtor as a whole, save and except the project "Raheja Shilas (Low Rise)"



Upon perusal of record it is revealed that no vakalatnama/power of attorney has been placed on record in the name of Adv Manika on behalf of the answering judgement debtor. Hence, the presence of Adv Manika is not being marked.

5. Mr. Rajan Kumar Hans, learned counsel for the decree holder submitted that in view of the initiation of CIRP proceedings against the present judgment debtor i.e. Raheja Developers Ltd., he wishes to withdraw the present execution petition with a liberty to file fresh complaint for any remaining claim/dispute after completion of resolution proceedings.
6. Request of the counsel for the decree holder is allowed. Decree holder is allowed to withdraw the present complaint with a liberty to file fresh petition as per law.
7. Case is **disposed of** without getting into merits. File be consigned to record room after uploading of this order on the website of the Authority.


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DR. GEETA RATHEE SINGH
[MEMBER]