



## HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: [www.haryanarera.gov.in](http://www.haryanarera.gov.in)

**BEFORE ADJUDICATING OFFICER**  
**EXECUTION NO. 665 of 2025**

**In**  
**COMPLAINT NO. 751 OF 2024**

Rajesh Kumar

....Decree Holder

VERSUS

Raheja Developers Ltd.

.....Judgment Debtor

**Date of Hearing:-** 01.12.2025

**Hearing:-** 3rd

**Present:-** Mr. Trishant Kaushik, Advocate, for the Decree Holder through VC.  
Mr. Aayush, Adv., for the judgment debtor.  
Judgment Debtor already Ex-Parte vide order dated 01.07.2025.

### **ORDER**

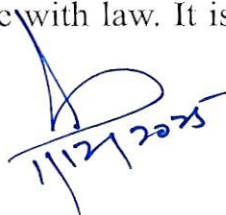
Today, case is fixed for placing on record details of movable and immovable property of the judgment debtor company for the purpose of attachment and realization of a decretal amount.

2. As per office report, decree holder has filed application under Order XXI Rule 41 CPC.
3. Learned proxy counsel for judgment debtor has appeared but did not file application for setting aside ex-parte order nor his authorisation to appear for judgment debtor, so cannot legally be considered to be as counsel representing the judgment debtor.

11/12/2025

4. Learned proxy counsel stating to be appearing for the judgment debtor, though not marked present for judgement debtor, has informed this Forum that he is not submitting any memo of appearance or power of attorney on behalf of the judgment debtor, as moratorium under Section 14 of the Insolvency and Bankruptcy Code, 2016, (hereinafter referred as IBC), has been declared vide order dated 21.08.2025 in Company Petition No. (IB) 284 of 2025 titled as "Shravan Minocha and Ors. v. M/s. Raheja Developers Ltd.," by Hon'ble National Company Law Tribunal, New Delhi, Court-IV. It is also informed that because of declaration of moratorium qua the judgment debtor, a corporate entity, as per provisions of Section 14(1)(a), (b), (c) and (d) of the Code, 2016, there is prohibition for "the institution of suits or continuation of pending suits or proceedings against the corporate debtor including execution of any judgment, decree or order in any court of law, Adjudicating Authority, arbitration panel or other authority". Hence, requested that the present proceedings cannot be proceeded with till the completion of the CIRP i.e. Corporate Insolvency Resolution Process, hence, be adjourned sine die.

5. The perusal of order dated 21.08.2025 of the Hon'ble NCLT, New Delhi, indicates that application under Section 7 of the IBC has been admitted with an order therein to initiate CIRP against the corporate debtor i.e. M/s. Raheja Developers Ltd., which is the judgment debtor in the case in hand. It is also evident from the order dated 21.08.2025 that prima facie the present proceeding cannot be proceeded with because of the bar provided under Section 14 of the Code, 2016 and it is the IRP appointed to do the needful further in accordance with law. It is further evident that the present CP



no. (IB) 284 of 2025 stands admitted vide order dated 21.08.2025. With these facts on record, it would be against the spirit of Section 14 of the Code, 2016 and the law on the subject to proceed with present execution petition against the judgment debtor company any more, more so when there is no provision to keep such execution petition pending till CIRP proceedings culminate as no period could be laid for the same. It is apt to note here that even to curtail the multiplicity of litigation where moratorium has been declared, Hon'ble Apex Court in Civil Appeal no.7667 of 2021 titled as "Sundaresh Bhatt, Liquidator of ADG Shipyard v/s Central Board of Indirect Taxes and Customs" vide order dated 26.08.2022, has observed that "issuance of moratorium is mandate to declare a moratorium on continuation or initiation of any coercive legal action against the Corporate Debtor". These findings of prohibition of bar of complaint against respondent a corporate entity, of this Forum are open to correction in view of law settled by Hon'ble Apex Court in P. Mohanraj & Ors. v/s M/s Shah Brother Ispat Pvt. Ltd., (2021) 6 SCC 258 and Anjali Rathi & Others v/s Today Homes and Infrastructure Pvt. Ltd.(2021)SCC Online SC 729, if finally facts of the case under consideration demands.

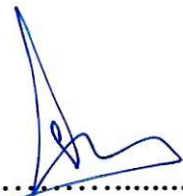
6. Learned counsel for the decree holder has stated at bar that the present execution petition cannot be proceeded further because of the bar. However, he has requested to grant him an opportunity to file afresh, on the culmination of moratorium proceedings, if so permitted by law.

Heard.



7. Having in mind, the detailed observations by this Forum, the legality of which has not been disputed by or for the decree holder, since the present execution petition cannot be proceeded with because of the legal bar provided under Section 14 of IBC, 2016, in view of order dated 21.08.2025 of Hon'ble NCLT, New Delhi, the present execution petition is **disposed off** as cannot be proceeded with further. However, the decree holder would be at liberty to approach this Forum in future on culmination of moratorium proceedings provided it is so permissible as per the law.

File be consigned to record room after uploading the order on the website of the Authority.



.....  
**MAJOR PHALIT SHARMA**  
**ADSJ (Retd.)**  
**ADJUDICATING OFFICER**  
**01.12.2025**

Indu Yadav  
Law Associate