



# HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

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

**EXECUTION NO. 394 OF 2025**

**IN**

**COMPLAINT NO. 1771 OF 2023**

Sonali

...DECREE HOLDER

**VERSUS**

Raheja Developers Ltd.

...JUDGEMENT DEBTOR

**Date of Hearing:** 14.10.2025

**Hearing:** 1st

**Present: -** Ms. Sonali, Decree Holder through VC

None for Judgement Debtor

## **ORDER (DR. GEETA RATHEE SINGH- MEMBER)**

1. Upon perusal of record it reveals that notice dated 04.04.2025 issued to the respondent undelivered for want of correct address.
2. Today, Adv. Manika appeared on behalf of judgement debtor and accepted the notice. She further submitted that insolvency proceedings qua the judgement debtor 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

*Dr. Geeta Rathee*

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 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.*

*22.....*

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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)"*

3. In view of initiation of CIRP proceedings against the present judgment debtor i.e. Raheja Developers Ltd., any further proceedings in execution would be against spirit of Section 14 of the IBC, 2016 as it is the IRP appointed therein to do needful further in accordance with law. It is also pertinent to mention here that there is no provision to keep such proceedings pending till CIRP proceeding culminates as no period could be laid for the same. Infact 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". However, prima facie findings of prohibition of execution against judgment debtor, a corporate entity, of this Authority 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.

*Rathore*

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.

4. Therefore, Authority directs the decree holder to apprise this Authority whether or not the decree holder has applied for claim with IRP?
5. In response, Ms. Sonali Singh, decree holder submitted that in view of the initiation of CIRP proceedings against the present judgment debtor i.e. Raheja Developers Ltd., she may be allowed to withdraw the present execution petition with a liberty to file fresh execution petition.
6. Request of the decree holder is allowed. Decree holder is allowed to withdraw the present complaint with a liberty to file execution petition at appropriate stage.
7. Execution petition is **disposed of** as withdrawn. 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]**