



# HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

EXECUTION NO. 749 OF 2025

IN

COMPLAINT NO. 2682 OF 2023

Sunil Thapa and Sunita Thapa

...DECREE HOLDERS

VERSUS

Raheja Developers Ltd.

...JUDGEMENT DEBTOR

**Date of Hearing:** 27.01.2026

**Hearing:** 2nd

**Present: -** Mr. Ashutosh Aggarwal Learned Counsel for the  
Decree Holder through Vc  
None for judgement debtor

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

1. During the last hearing dated 09.09.2025, it had been brought to the notice of the Authority that CIRP proceedings have been initiated against the present judgment debtor i.e. Raheja Developers Ltd.. Today, Adv. Manika, appearing on behalf of the judgment debtor further submitted that the matter qua the insolvency proceedings against judgement debtor company is now before the Hon'ble National company Law Appellate Tribunal vide I.A. No. 4560 of 2025 in Comp. App. (AT) (Ins) No. 2168 of 2024 and the

*Dr. Geeta Rathee*

moratorium against the judgement debtor is still in force, no stay has been granted by the Appellate Tribunal.

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.

2. On last hearing, decree holder was directed to apprise this Authority whether or not the decree holder has applied for claim with IRP? If not, then as to why the appropriate remedy available with decree holder is not being availed in the given circumstances wherein because of legal bar to proceed with execution in this case, keeping the request to execute the order under execution pending, would not be of any help to the decree holder(s); rather a futile exercise amounting to wastage of time of the executing Forum? In case no reply is filed or otherwise if filed but not found containing any provision contrary to Section 14 of the Code, 2016, on that day, this Authority would be disposing of the execution petition with permission to file afresh, on culmination of CIRP proceedings, if so legally permissible.
3. Adv. Ashutosh Aggarwal, 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 will file a claim before the National Company Law Appellate Tribunal.



4. Request of the learned counsel is accepted. Decree holders may file their claim for recovery before Hon'ble National Company Law Appellate Tribunal with a liberty to file fresh execution petition at the appropriate stage.
5. In view of the aforementioned observations, execution petition is **disposed of**. File be consigned to record room after uploading of this order on the website of the Authority.

