

BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

Appeal No: 523 of 2023
Date of Decision: 01.05.2026

Suresh Kapasia, R/o B-3/601,, Aloha Apartment, Sector-57, Sushant Lok-3, Gurugram-122003, Haryana.

...Appellant

Versus

1. M/s ADTV Communications Pvt. Ltd. (Formerly known as AEZ infratech Pvt. Ltd.) registered office at 8-B, Basement Floor, Jagpura, Main Mathura Road, New Delhi-110014.

2. Sanjeev J Aeren promoter/beneficiary, Aeren Estate Church Road, Near Birdsong Cottage, Sector-D, Vasant Kunj, South West Delhi, New Delhi.

3. Haryana Real Estate Regulatory Authority, Gurugram, PWD Guest House, Old Railway Rd, Civil Lines, Gurugram, Haryana 122001.

...Respondents

CORAM:

Justice Rajan Gupta

Chairman

Present: Mr. Vineet Sehgal, Advocate, with
Mr. Rajpal, Advocate for the appellant.

Respondents *ex-parte*.

ORDER:

RAJAN GUPTA, CHAIRMAN

Pursuant to order dated 11.12.2025, report from HRERA, Gurugram has been received. Same is taken on record. Para 4 thereof reads as under:-

“4. Thereafter, the Hon'ble National Company Law Appellate Tribunal, Principal Bench, New Delhi, vide judgment dated 17.12.2024 passed in Company Appeal (AT) (Insolvency) No. 849 of 2023 titled Rakesh Kumar Jain Vs. ADTV Communications Pvt. Ltd., set aside the

aforesaid order dated 24.04.2023 passed by the Hon'ble NCLT. The Hon'ble NCLAT held that a decree-holder can qualify as a "Financial Creditor" where the underlying liability arises from a financial debt and further held that the acknowledgments of liability made by the Corporate Debtor before the Hon'ble Delhi High Court extended the period of limitation under Section 18 of the Limitation Act, 1963. Consequently, the Hon'ble NCLAT allowed the appeal and directed admission of the petition under Section 7 of the Insolvency and Bankruptcy Code, 2016 and initiation of Corporate Insolvency Resolution Process (CIRP) against ADTV Communications Pvt. Ltd. A copy of the aforesaid judgment dated 17.12.2024 is enclosed herewith for kind reference."

2. In view of same, learned counsel for the appellant submits that present proceedings do not survive. He prays that he may be allowed to withdraw the same with liberty to seek revival in case there is any change of circumstances.
3. Dismissed as withdrawn with liberty aforesaid.
4. File be consigned to the records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

01.05.2026
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