



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

Execution No. 2085 of 2024

In

Complaint No. 1328 of 2020

Manoj Kumar Singh

.....DECREE HOLDER

VERSUS

Dwarkadhis Projects Pvt. Ltd.

.....JUDGMENT DEBTOR

CORAM: Parneet S Sachdev
Dr. Geeta Rathee Singh
Chander Shekhar

Chairman
Member
Member

Date of Hearing:- 21.05.2026

Hearing:- 4th

Present:- Ms. Recna Rao, counsel for the decree holder through VC.
Mr. Neeraj Goel, counsel for judgment debtor through VC.

ORDER (PARNEET S SACHDEV- CHAIRMAN)

1. Vide last order dated 22.01.2026, Authority directed the decree holder to place on record proof of dasti service upon the judgment debtor.

2. In compliance thereof, the decree holder has filed proof of service of dasti notice on 28.01.2026.
3. Today, upon being queried regarding the moratorium proceedings against the respondent company, learned counsel appearing on behalf of the decree holder submitted that the CIRP proceedings pertain to a different project and not to the project in question namely "Aravalli Heights". She further submitted that the IRP was granted only supervisory powers with respect to construction activities. Learned counsel also submitted that the IRP did not entertain the claim of the decree holder and that the Hon'ble NCLT granted liberty to approach this Authority for redressal of their claim. She further contended that the respondent company is taking shelter under the proceedings pending before the Hon'ble NCLT.
4. The Authority specifically queried learned counsel as to whether the project "Aravalli Heights" stood excluded from the CIRP proceedings by virtue of any specific order passed by the Hon'ble NCLT. In response, learned counsel submitted that there is no specific exclusion order.
5. Authority has heard the submissions made and has also perused the moratorium order. It is observed that the judgment debtor company is presently undergoing Corporate Insolvency Resolution Process (CIRP) under the Insolvency and Bankruptcy Code, 2016, and that a moratorium has been imposed in terms of Section 14 of the said Code pursuant to the

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order passed by the Hon'ble National Company Law Tribunal (NCLT) vide order dated 06.03.2024 in C.P. (IB) No. (IB)-281(ND)/2023 which has also been upheld by the NCLAT vide order dated 20.03.2024. The relevant para is reproduced below for reference:-

"51. In the wake, moratorium as provided under Section 14 of IBC, 2016 is declared qua the CD and as a necessary consequence thereof the following prohibitions are imposed, which must be followed by all and sundry:

a) The institution of suits or continuation of pending suits or proceedings against the Respondent including execution of any judgment, decree or order in any court of law, tribunal, arbitration panel or other authority;

b) Transferring, encumbering, alienating or disposing of by the Respondent any of its assets or any legal right or beneficial interest therein;

c) Any action to foreclose, recover or enforce any security interest created by the Respondent in respect of its property including any action under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002;

d) The recovery of any property by an owner or lessor, where such property is occupied by or in the possession of the Respondent".

6. The above-mentioned order clearly reflects that the insolvency proceedings have been initiated qua the corporate debtor as a whole. There is no truth in the assertions of the complainant counsel at all.

7. In view of the incontrovertible facts, it is clear that this Authority cannot proceed in any way during the moratorium.

8. Accordingly, the present execution petition is hereby **dismissed** without going into the merits and stands disposed of. If the decree holder is able to place the order of the Hon'ble NCLT/NCLAT as complained by 9th June 2026, there will be a liberty to file a fresh petition. Not later than that. File be consigned to the record room after uploading the order on the website of the Authority



Chander Shekhar
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CHANDER SHEKHAR
[MEMBER]

Dr. Geeta Rathee Singh
.....
DR. GEETA RATHEE SINGH
[MEMBER]

Parneet S Sachdev
.....
PARNEET S SACHDEV
[CHAIRMAN]