

BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

Appeal No.574 of 2025

Date of Decision: 21.07.2026

1. Rajeev Kumar Khare;

2. Mrs. Ruby Khare both R/o Flat No. E-501, GLS Avenue 51, Sector 92, Gurgaon-122505, Haryana.

Appellants

Versus

1. M/s Imperia Wishfield pvt. Ltd. Registered office At A-25, Mohan Co-operative Industrial Estate, Mathura Road, New Delhi-110044.

2. M/s Private IT Solutions Private Limited Registered office at B-33, First Floor, Shivalik Colony, Near Malviya Nagar, New Delhi-110017.

Respondents

CORAM:

Justice Rajan Gupta

Chairman

Dinesh Singh Chauhan

Member (Technical)

Present: Mr. Rajeev Kumar Khare, Advocate,
for the appellant.

Mr. Amitabh Tiwari, Advocate,
for respondent no. 2-Caveator.

O R D E R:

RAJAN GUPTA, CHAIRMAN

Present appeal is directed against order dated 23.04.2025 passed by the Authority¹, operative part whereof reads as under:-

“After considering the factual as well as legal circumstances of the case, the authority is of the view that since the Hon’ble NCLT, New Delhi vide order dated

¹ Haryana Real Estate Regulatory Authority, Gurugram

29.05.2024 in application no. IB-487/ND/2023 has already declared moratorium against the 'Elvedor' project exclusively, thus, no direction for restoration of complaint or resuming of proceedings against any respondent in the said project can be passed till lifting of moratorium against the said project. In view of the above, the present application stands dismissed being devoid of merits. File be consigned to the registry."

2. Admittedly, the entire matter is pending before the NCLT, New Delhi. During the pendency of the appeal, an application was moved by the appellant for taking up the matter, which was adjourned *sine die* vide order dated 28.08.2024, Annexure A-13 (colly) (page No. 237).

3. A query has been put to learned counsel for the appellant whether the complaint is still pending before the Authority. His answer is in the affirmative. It, thus, transpires that the present appeal has been preferred only against the order adjourning the complaint *sine die* due to the moratorium in operation.

4. In our considered view, such an appeal would not fall within the ambit of Section 43(5) of the Act, as the appeal is not directed against any substantive order. Same is accordingly dismissed.

5. The appellant, however, shall be at liberty to move an application at the appropriate stage as complaint is still pending before the Authority.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Dinesh Singh Chauhan
Member (Technical)

21.07.2026/Rajni