HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

EXECUTION NO. 1650 OF 2025

IN

COMPLAINT NO. 2083 OF 2023

1.Vivek Khurana

2. Sarthak Khurana

3. Samarth Khurana ...DECREE HOLDERS

VERSUS

Raheja Developers Ltd. ...JUDGEMENT DEBTOR

Date of Hearing: 13.10.2026

Present: - Adv. Shikha, Learned counsel for the decree holders through VC
None for judgement debtor

ORDER (DR. GEETA RATHEE SINGH- MEMBER)

1. Captioned complaint had been disposed of as withdrawn vide order dated 03.02.2026. Relevant part of order dated 03.02.2026 is reproduced below for reference:

> *"4. Adv.Shikha, learned counsel for the decree holders submitted that in view of the initiation of CIRP proccedings against the present judgment debtor i.e. Raheja Developers Ltd., she will file a claim before the National Company Law Appellate Tribunal.*

5. 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.

6. 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."

2. Now, the decree holder has filed an application dated 10.07.2026 and 05.10.2026 seeking restoration of the above-mentioned petition stating that the said execution petition had been disposed of as withdrawn vide order dated 03.02.2026 in view of the admittance of insolvency proceedings against the respondent, however, the Hon'ble NCLAT vide its order dated 10.04.2026 in matter titled as "Navin M Raheja V Shravan Minocha & Ors" bearing AT(Insolvency) No. 1276 of 2025 has issued directions confining CIRP only against the project "Krishna Housing Scheme" & "Raheja Shillas (Low rise)" and has directed that proceedings with respect to other project maybe proceeded with and decided in accordance with law. That in light of these facts, there is no legal impediment in reviving and proceedings further with the captioned petition pertaining to the project "Raheja's OMA". Hence, the present application seeking restoration of the captioned petition.

3. Upon perusal of the record, the Authority observes that the captioned execution petition had already been disposed of as withdrawn, with liberty granted to the decree holder to file a fresh execution petition at the appropriate stage. Since there is presently no legal impediment to pursuing

execution proceedings in respect of the project namely, "Raheja's OMA", the appropriate remedy available to the decree holder is to avail the liberty so granted by filing a fresh execution petition in accordance with law, rather than seeking restoration of the present petition, which already stands disposed of as withdrawn.

It is further observed that the captioned petition was inadvertently listed for further hearing on 12.01.2027, despite its earlier disposal. Accordingly, it is clarified that no further proceedings are required to be conducted in the present petition, and the date of hearing fixed for 12.01.2027 stands cancelled. The decree holder shall be at liberty to institute a fresh execution petition in accordance with law for enforcement of the order under execution.

4. Thus, in view of the above, the applications dated 10.07.2026 and 05.10.2026 seeking restoration of the captioned petition are **disposed of**.

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DR. GEETA RATHEE SINGH
[MEMBER]