



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1496 OF 2020

Samir Singh

....COMPLAINANT(S)

VERSUS

M/s Ireo Fiverivers Pvt. Ltd.

....RESPONDENT(S)

CORAM:

**Rajan Gupta
Anil Kumar Panwar
Dilbag Singh Sihag**

**Chairman
Member
Member**

Date of Hearing: 20.04.2021

Hearing: 2nd

Present: - Ms. Narinder Kaur, Ld. counsel for the complainant through
Video conferencing.
None for the respondent

ORDER (RAJAN GUPTA - CHAIRMAN)

1. The above captioned complaint pertains to the execution of orders of the Authority dated 04.04.2019 passed by the Authority in complaint no. 765/2018 titled as **Samir Singh and Sukhwinder Singh Vs M/s Ireo Fiverivers Pvt. Ltd.**

The operative part of the order is as under:

“ 5. It is observed that the respondent has neither appeared before this Authority on any previous instance, nor has taken the pain to file a reply. This Authority after hearing the grievance of the complainant and in view of the fact that the project is neither complete nor is likely to be completed in near future, is convinced to order refund of the paid sum to the respondent along with interest in accordance with Rule 15 of HRERA Rules, 2017. The Authority additionally observes that these cases of complainants deserve exactly similar as ordered in Complaint no. 491/2018 titled as Ritu Rana Vs M/s Ireo Fiverivers Pvt. Ltd. The Authority hence decides to dispose of this bunch of complaints in similar terms as complaint no. 491/2018. The logic and reasoning cited in the said order will be applicable in the present case.”

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2. Today, Ld. Counsel for decree-holder submitted before the Authority that the judgement-debtor i.e. M/s Ireo Fiverivers Pvt. Ltd. has failed to comply with the orders of the Authority which has forced him to file the present execution before this forum.

3. the Authority observes that since judgement debtor/ promoter company is undergoing liquidation proceedings before Hon'ble NCLT, in which a moratorium has also been issued by the NCLT, and all the affairs of the company now vests with IRP, therefore, the Authority directs the decree-holder to file his claim before the NCLT/IRP seeking payment of deemed amount.

4. This execution petition stands disposed of in above terms. File be consigned to the record room after uploading the orders on the website of the Authority.



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RAJAN GUPTA
[CHAIRMAN]



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ANIL KUMAR PANWAR
[MEMBER]



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DILBAG SINGH SIHAG
[MEMBER]