

PROCEEDINGS OF THE DAY

Day and Date	Thursday and 07.02.2019
Complaint No.	819/2018 Case Titled As Ashish Hotels Private Limited V/S ABW Infrastructure And Ors
Complainant	Ashish Hotels Private Limited
Represented through	Shri A.P.Dubey Advocate for the complainant.
Respondent	M/S ABW Infrastructure And Ors
Respondent Represented through	Shri Dinesh Kumar Dakoria, Advocate for the respondent.
Last date of hearing	First hearing
Proceeding Recorded by	Naresh Kumari & S.L.Chanana

Proceedings

Project is not registered with the authority.

Since the project is not registered, as such, notice under section 59 of the Real Estate (Regulation & Development) Act, 2016, for violation of section 3(1) of the Act be issued to the respondent. Registration branch is directed to do the needful.

Counsel for the respondent has filed a copy of order dated 4.7.2018 passed by the Hon'ble Delhi High in Co.Pet.449/2016, titled as **Nitya Kukreja versus ABW Infrastructure Ltd.**

As per Delhi High Court order dated 4.7.2018, in Co.Pet.449/2016, titled as **Nitya Kukreja versus ABW Infrastructure Ltd.**, winding up order has been passed. The operative part of the order is as under:-

"in my opinion, the court has already ordered for winding up of the respondent-company and hence, the application cannot be

considered. Even otherwise, keeping in view the objections of the petitioners, I do not deem it appropriate to transfer this petition to NCLT. The application is accordingly dismissed”.

Since the matter stands disposed by the Delhi High Court, it comes under the category of res judicata. File be consigned to the registry.

Samir Kumar
(Member)
7.2.2019

Subhash Chander Kush
(Member)