

Greenpolis Welfare Association Vs. Orris Infra Pvt. Ltd.
Appeal No.394 of 2020

Present: Shri Venket Rao, Advocate, Ld. counsel for the appellant.

Shri Surjeet Bhadu, Advocate, Ld. counsel for respondent No.1.

Shri Himendra Pal Singh, Advocate, Ld. counsel for respondent No.2.

{The aforesaid presence is being recorded through video conferencing on account of COVID-19 Epidemic}

Ld. counsel for the appellant states that after the last date of hearing, the fresh developments have taken place. The National Company Law Tribunal, New Delhi Bench (for short 'NCLT') has passed the Order dated 15th April, 2021, at the instance of Kotak Mahindra Bank. The Orris Infra Pvt. Ltd. (respondent No.1) had filed the Civil Writ Petition No.5666 against that order before the Hon'ble Delhi High Court in which the Hon'ble Delhi High Court was pleased to order status quo with respect to the amount in dispute.

Ld. counsel for the appellant further states that against the order of the Hon'ble Delhi High Court, the Resolution Professional for respondent No.2 had approached the Hon'ble Apex Court by filing SLP No.7842 of 2021 and vide Order dated 01st July, 2021, the Hon'ble Apex Court has directed the NCLT, New Delhi Bench to decide all other issues including as to whether the proceedings under Real Estate (Regulation and Development) Act, 2016 and orders passed therein will have any bearing on the proceedings initiated before it under the Insolvency and Bankruptcy Code, 2016.

Ld. counsel for the appellant states that in view of the latest development in the matter, he may be permitted to withdraw the present appeal with liberty to file the fresh appeal, if cause of action still survives after the order of NCLT, New Delhi Bench.

Ordered accordingly.

Copy of this order be conveyed to Ld. counsel for both the parties/parties for information through e-mail.

File be consigned to the record.

Justice Darshan Singh (Retd.)
Chairman,
Haryana Real Estate Appellate Tribunal,
Chandigarh

Inderjeet Mehta
Member (Judicial)

Anil Kumar Gupta
Member (Technical)