

PROCEEDINGS OF THE DAY

Day and Date	Thursday and 28.02.2019
Complaint No.	1046/2018 case titled as Sunny Dhir Vs M/s Emaar MGF Land Ltd
Complainant	Sunny Dhir
Represented through	Mr.Shailender Behl, advocate
Respondent	M/s Emaar MGF Land Ltd
Respondent Represented through	Mr.Ishaan Dang, advocate
Last date of hearing	First hearing
Proceeding Recorded by	H.R.Mehta and S.L.Chanana

Proceedings

Project is registered with the authority.

Complaint was filed on 29.09.2018. Notices w.r.t. reply to the complaint were issued to the respondent on 04.10.2018, 29.10.2018 and 29.11.2018. Besides this, a penalty of Rs.5,000/- and Rs.10,000/- was also imposed on 29.10.2018 and on 29.11.2018 for non-filing of reply even after service of notices.

A final notice dated 18.2.2019 by way of email was sent to both the parties to appear before the authority on 28.2.2019.

Arguments heard.

Appearing on behalf of the respondent Mr. Ishaan Dang, Advocate apprised the authority that NCLT, New Delhi has already imposed

moratorium on any type of proceedings before any court of law or authority etc. and cited the judgement of NCLT.

Since vide order dated **24.1.2019** passed in CP.No.IB-1403 (PB)/2018 titled as Neeraj Gupta Versus Emmar MGF Land Ltd., vide which an IRP under the provisions of Section 14 of the Insolvency and Bankruptcy Code, 2016, has been appointed. The provisions of Section 14 (1) (a) is as under:-

- (a) ***the institution of suits or continuation of pending suits or proceedings against the corporate debtor including execution of any judgment, decree or order in any court of law, tribunal, arbitration, panel or other authority***”.

Vide order dated 1.2.2019 passed by the NCLAT and the order dated 24.1.2019 passed by NCLT, New Delhi, the moratorium has already been ordered, as such, this authority cannot proceed further. As such, stands disposed of. File be consigned to the registry.

Samir Kumar
(Member)
28.02.2019

Subhash Chander Kush
(Member)