

PROCEEDINGS OF THE DAY

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| Day and Date | Tuesday and 09.04.2019 |
| Complaint No. | 1614/2018 Case titled as Krishan Kumar & Sarla Goyal V/S Unitech Limited |
| Complainant | Krishan Kumar & Sarla Goyal |
| Represented through | Ms. Shimpy Arman Sharma Advocate for the complainant |
| Respondent | M/S Unitech Limited |
| Respondent Represented through | Shri Jarnail Singh Advocate for 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, 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.

There are numbers of Hon'ble Supreme Court orders which have been placed on record by both the parties in support of their contentions. Presently matter is sub-judice before the Hon'ble Supreme Court on account of two facts (i) the Hon'ble Apex court has ordered forensic audit of M/s Unitech Ltd. (ii) an amicus curie by the name of Shri Pawan Aggarwal has

been appointed. Vide order dated 29.11.2017 of Hon'ble Supreme Court, the operative part which reads as under:-

“Be it noted, vide our order dated 30th October 2017 we had directed that no coercive steps will be taken for executing the orders passed in respect of the petitioners. Needless to say, when we say ‘no coercive steps for execution’, all the forums are bound by it. Ordered accordingly.”

Since the matter is sub judice before the Apex Court, it is advisable that any final decision in this regard can be taken after the matter is finally decided by the Hon'ble Apex Court.

Matter stands disposed of for the time being. As and when the need arisen, complainant is at liberty to approach the authority. File be consigned to the registry.

Samir Kumar
(Member)
09.04.2019

Subhash Chander Kush
(Member)