



\$~C-1 & C-2

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CO.PET. 704/2014 & CO.APPL. 2651/2014, CO.APPL. 1037/2016, CO.APPL. 1631/2016, CO.APPL. 2082/2016, CO.APPL. 2083/2016, CO.APPL. 2084/2016, CO.APPL. 2085/2016, CO.APPL. 2087/2016, CO.APPL. 2088/2016, CO.APPL. 2091/2016, CO.APPL. 2092/2016, CO.APPL. 2093/2016, CO.APPL. 2104/2016, CO.APPL. 2105/2016, CO.APPL. 2120/2016, CO.APPL. 2365/2016, CO.APPL. 2615/2016, CO.APPL. 2669/2016, CO.APPL. 3038/2016, CO.APPL. 3039/2016, CO.APPL. 3040/2016, CO.APPL. 3041/2016, CO.APPL. 3042/2016, CO.APPL. 3043/2016, CO.APPL. 3044/2016, CO.APPL. 3045/2016, CO.APPL. 3092/2016, CO.APPL. 3633/2016, CO.APPL. 3634/2016, CO.APPL. 3808/2016, CO.APPL. 3935/2016, CO.APPL. 3967/2016, CO.APPL. 4225/2016, CO.APPL. 4226/2016, CO.APPL. 4227/2016, CO.APPL. 4228/2016, CO.APPL. 4681/2016, CO.APPL. 4883/2016, CO.APPL. 5106/2016, CO.APPL. 261/2017, CO.APPL. 304/2017, CO.APPL. 306/2017, CO.APPL. 535/2017, CO.APPL. 536/2017, CO.APPL. 695/2017, CO.APPL. 886/2017, CO.APPL. 1033/2017, CO.APPL. 1089/2017, CO.APPL. 1097/2017, CO.APPL. 1580/2017, CO.APPL. 187/2018, CO.APPL. 190/2018, CO.APPL. 346/2018, CO.APPL. 369/2018, CO.APPL. 450/2018, CO.APPL. 260/2019, CO.APPL. 966/2019, CO.APPL. 1148/2019, CO.APPL. 286/2020, CO.APPL. 287/2020, CO.APPL. 322/2020, CO.APPL. 336/2020, CO.APPL. 369/2020, CO.APPL. 623/2020, CO.APPL. 658/2020, CO.APPL. 665/2020, CO.APPL. 674/2020, CO.APPL. 491/2021, CO.APPL. 815/2021, CO.APPL. 431/2022, CO.APPL. 221/2023, CO.APPL. 293/2023, CO.APPL. 395/2024, OLR 197/2016, OLR 281/2016, OLR 265/2017, OLR 266/2017, OLR 267/2017, OLR 43/2020

SH. AMARPREET SINGH OBEROI & ORS.

..... Petitioner

Through:

versus



M/S A. N. BUILDWELL PVT. LTD.

..... Respondent

Through: Ms. Ms. Sangeeta Chandra,
Standing Counsel for OL
Mr. Vikrant Pachnanda & Mr.
Mukul Katyal, Advs. for
Propounder No.1.
Mr. J. Jain & Mr. Sunil Gandhi,
Advs. for Propounder No. 1.
Mr. Arjun Nanda, Mr. Dinesh
Singh Negi & Mr. Prakhar
Yadav, Advs. for applicant in
CA No. 293/2023
Mr. Rajiv Kapur, Mr. Akshit
Kapur & Mr. Aditya Saxena,
Advs. for applicant/SBI
Mr. Vidur Mohan, Mr. Kaushal
Kumar Singh, Mr. Saurabh
Bhatt, Mohd. Faraz & Mr.
Indresh Upadhyay, Advs. for
applicant/Deepa Kapoor.
Mr. S.P. Yadav, Adv. for
complainant.
Mr. Chandna P., Adv. for
applicant in CA No. 368/2024,
CA No. 670/2024 & CA No.
299/2024.

C-2

+ CO.PET. 6/2019 & CO.APPL. 153/2020, CO.APPL. 365/2020,
CO.APPL. 436/2020, CO.APPL. 668/2020, CO.APPL.
670/2020, CO.APPL. 733/2020, CO.APPL. 298/2021,
CO.APPL. 133/2022, CO.APPL. 134/2022, CO.APPL.
299/2023, CO.APPL. 611/2023, CO.APPL. 683/2023,
CO.APPL. 729/2023, CO.APPL. 730/2023 – EXMP.,
CO.APPL. 731/2023, CO.APPL. 732/2023 – EXMP.,
CO.APPL. 733/2023, CO.APPL. 734/2023 – EXMP.,
CO.APPL. 735/2023, CO.APPL. 801/2023, CO.APPL.
802/2023, CO.APPL. 803/2023 – EXMP., CO.APPL. 809/2023,
CO.APPL. 368/2024, CO.APPL. 379/2024, CO.APPL.



381/2024, CO.APPL. 383/2024

SUNIL GANDHI & ANR.

..... Petitioners

Through:

versus

A.N. BUILDWELL PRIVATE LIMITED Respondent

Through: Ms. Ms. Sangeeta Chandra,
Standing Counsel for OL
Mr. Satvik Varma, Sr. Adv.
with Mr. Laksh Khanna, Ms.
Smriti Maheshwari, Ms.
Deeksha Suri, Mr. Saurabh
Rastogi, Advs. for applicant in
CA No. 379/2024 & CA No.
381/2024
Mr. Saurabh Kirpal, Sr. Adv.
with Mr. Shlok Chandra & Mr.
Sankalp Sharma, Advs. for
Alpha Corporation
Mr. J. Jain & Mr. Sunil Gandhi,
Advs. for Propounder No. 1.
Mr. Subhankar Sen Gupta &
Mr. Aarush Bhatia, Advs. for
Propounder No. 2
Ms. Nidhi Raman, CGSC with
Mr. Yash Yadav, Adv. for
ROC/UIO
Mr. Vidur Mohan, Mr. Kaushal
Kumar Singh, Mr. Saurabh
Bhatt, Mohd. Faraz & Mr.
Indresh Upadhyay, Advs. for
applicant/Deepa Kapoor.
Mr. S.P. Yadav, Adv. for
complainant.
Mr. Chandna P., Adv. for
applicant in CA No. 368/2024,
CA No. 670/2024 & CA No.
299/2024.



Ms. Anita, Mr. A. Mishra &
Mr. Neeraj, Advs.

CORAM:
HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

28.05.2024

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1. Having considered the submissions advanced by the learned counsels for the parties present, the long and short of the discussion brings out that in terms of the order dated 09.04.2024, M/s Alpha Corporation Development Pvt. Ltd. is yet to file its Status Report with regard to the progress of the pending project at the site, viz., “Spire Edge”, which is meant for residential purposes.
2. Learned Senior Counsel appearing for the aforesaid company submits that he has filed a Convenience Compilation along with a short affidavit on 31.10.2023. Evidently, no fresh Status Report has been filed in terms of the order dated 09.04.2024 passed by this Court.
3. M/s Alpha Corporation Development Pvt. Ltd. is directed to ensure that an updated Status Report be filed on the record within four weeks from today. The soft copies as well as the hard copies, thereof, be supplied to the learned Standing Counsel for the Official Liquidator as well as to the learned counsels for the other parties.
4. Likewise, the soft copies of the Convenience Compilation be also shared with the learned counsels for the other parties including the Standing Counsel for the Official Liquidator.
5. It is borne out from the record that despite notices having been sent twice to the District Town & Country Planning (DTCP), Gurgaon District as well as Haryana State Industrial Infrastructure Development Corporation (HSIIDC) in terms of the order dated 09.04.2024, no one has responded. Let notices be served upon the



Secretary as well as the Chief Law Officer of the DTCP besides the General Manager of HSIIDC by the Official Liquidator through a special messenger accompanied with the previous order dated 09.04.2024 with directions to ensure that they be duly represented on the next date of hearing before this Court.

6. The aforesaid situation has arisen since learned Senior Counsel appearing for M/s Alpha Corporation Development Pvt. Ltd. submits that the license for the project in question was cancelled *vide* order dated 16.07.2018 by the DTCP. On being aggrieved, an appeal was preferred and the same was allowed *vide* order dated 27.05.2022 but on further challenge to the imposition of EDC, an appeal was further preferred and the matter has been remanded back to the DTCP *vide* order dated 14.07.2022 and the matter is still pending with them for consideration.

7. At this stage, learned counsel for the Court Commissioner appears through VC and he points out that CO.APPL. 611/2023 is pending for certain directions. It appears that reply to the same has already been filed on the record by M/s Alpha Corporation Development Pvt. Ltd.

8. In the end, it is further directed that reply be filed by M/s Alpha Corporation Development Pvt. Ltd. to CA No. 368/2024, CA No. 371/2023, CA No. 381/2024, CA No. 379/2024 & CA No. 389/2024 within four weeks from today, which shall be the last and final opportunity.

9. Re-notify on 23.07.2024.

DHARMESH SHARMA, J.

MAY 28, 2024/sa