

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 6923/2021

RG LUXURY HOMEBUYERS ASSOCIATION (REGD.)

Appellant(s)

VERSUS

RAJESH GOYAL & ORS.

Respondent(s)

(IA No. 92541/2023 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 112647/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT
IA No. 33437/2022 - INTERVENTION/IMPLEADMENT
IA No. 18603/2022 - INTERVENTION/IMPLEADMENT
IA No. 164916/2023 - INTERVENTION/IMPLEADMENT
IA No. 60679/2023 - INTERVENTION/IMPLEADMENT
IA No. 1607/2022 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 112645/2021 - STAY APPLICATION)

Date : 27-08-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Appellant(s) Mr. M L Lahoty, Adv.
Mr. Paban K. Sharma, Adv.
Mr. Anchit Sripat, Adv.
Mr. Pranab Nayak, Adv.
Mr. Arvind Kumar, Adv.
Mr. Himanshu Shekhar, AOR

For Respondent(s) Mr. Paramjit Singh Patwalia, Sr. Adv.
Mr. Saurabh Jain, Adv.
Mr. Prayag Jain, Adv.
Mr. Rohit K. Singh, AOR

Mr. Siddharth Dave, Sr. Adv.
Mr. Abhindra Maheshwari, Adv.
Mr. Kumar Mihir, AOR

Mr. Ravindra Kumar, Sr. Adv.
Mr. Binay Kumar Das, AOR

Ms. Priyanka Das, Adv.
Ms. Neha Das, Adv.
Mr. Shivam Saxena, Adv.

Mr. Rudreshwar Singh, Sr. Adv.
Mrs. Divya Singh, Adv.
Mr. Kaushik Poddar, AOR
Ms. Isha Singh, Adv.

Mr. M.K.S. Menon, Adv.
Ms. Malini Poduval, Adv.
Ms. Usha Nandini V., AOR

Mr. Utsav Jain, Adv.
Mr. Chand Qureshi, AOR
Mr. Jaydeep Chatterjee, Adv.
Mr. Vijay Kumar, Adv.
Mr. K.R.Anand, Adv.
Dr. P.B.Reddy, Adv.
Ms. Patnam Shyla, Adv.
Ms. C.S.Hema, Adv.
Mr. Chandan Kumar Mandal, Adv.

Mr. Vedant Singh, AOR

UPON hearing the counsel the Court made the following
O R D E R

We have perused the affidavit of respondent no.5 who is the Interim Resolution Professional (IRP) of Rajesh Projects (India) Pvt. Ltd. It is pointed out that now the Enforcement Directorate has cooperated and has allowed respondent No.5 to copy necessary data/documents.

As regards the occupancy certificate of Towers D, E and F, action has to be taken for making compliance with the requirements of Greater NOIDA Industrial Development Authority informed vide its communication dated 14th May, 2024. We direct all concerned to complete the formalities in terms of communication dated 14th May, 2024 within a period of six weeks from today.

In the affidavit, respondent no.5 has stated that an offer of possession in writing has been made by sending letters of reminder dated 27th July, 2024 and 16th August, 2024.

Learned Senior Counsel appearing for respondent no.5 is right when he submits that outer limit has to be fixed within which the allottees will have to make procedural compliances. We propose to issue directions in his behalf on the next date.

An affidavit has been filed by the appellant complaining that though certain allottees approached Respondent no.5 for completing formalities for taking over possession, they were not allowed to do so. The appellant will communicate to those allottees who are interested in taking over possession of the Apartments in Towers A, B, C and M to remain present at the site on 20th September, 2024 or 27th September, 2024 at 11.00 a.m. We direct the appellant to address letters to that effect to its members so that all of them will be able to attend the site on the two dates mentioned above. We direct respondent no.5 to allow the members who attend on the said dates to complete the formalities.

List on 18th October, 2024 for reporting further compliance regarding possession aspect of Towers A, B, C and M and occupancy certificate as regards Towers D, E and F.

List on 18th October, 2024. We direct the respondent No.5 to file affidavit of compliance by 14th October, 2024.

(KAVITA PAHUJA)
ASTT. REGISTRAR-cum-PS

(AVGV RAMU)
COURT MASTER (NSH)