

2024:PHHC:091988



**215-1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

COCN No.556 of 2023 (O&M)

Date of Decision: 22.07.2024

VINOD KUMAR AND ANR.

.....Petitioners

Versus

YASH PAL , IAS, ROHTAK AND ORS.

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Shvetanshu Goel, Advocate
for the petitioners with
Petitioner No.1-Vinod Kumar (Through V.C.).

Mr. Amit Aggarwal, DAG, Haryana.

RAJBIR SEHRAWAT, J. (ORAL)

1. This is a contempt petition filed under Article 215 of the Constitution of India and Sections 10 to 12 of the Contempt of Courts Act, for initiating contempt proceedings against respondent Nos.1 to 3 for breach of undertaking given vide letter dated 17.02.2022 to the Haryana Real Estate Regulatory Authority, Panchkula and violating the orders dated 09.03.2022, 29.06.2022, 21.09.2022, 29.11.2022 and 01.09.2022 passed in Execution Petition No.546 of 2019.

2. Learned counsel for the respondents-State has submitted that although the process for realization of the amount by selling the property of the company was undertaken, however, even before the sale could be confirmed; the National Company Law Tribunal (NCLT) has passed the moratorium order dated 16.08.2022. Therefore, the District Administration could not proceed further.



3. It is not even in dispute that the moratorium order has not been set aside by the Court so far, nor has the proceedings against the order of moratorium been taken before any authority to wear away the affect of moratorium qua the case of the petitioners.

4. In view of the above, this Court does not find any ground to continue with the present petition any more. Hence, the same is dismissed.

5. However, the petitioners would be at liberty to avail any other alternate remedy, but in accordance with law.

6. The pending miscellaneous application, if any, is also disposed of as such.

(RAJBIR SEHRAWAT)
JUDGE

22.07.2024
sandeep

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No