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

+ **W.P.(C) 1443/2024**

**PAL GARDEN ALLOTTEE WELFARE ASSOCIATION &
ANR.** Petitioners

Through: **Mr. Deepender Hood and Mr.
Varun Hooda, Advs.**

versus

RAMESHWARI & ORS. Respondents

Through: **None.**

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

% **01.02.2024**

CM APPL. 5983/2024 (Ex.)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The petitioners are invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India. The petitioners are the homebuyers who have invested their hard earned money in the projects that were promised to be brought by the corporate debtor. The matter is pending before before National Company Law Tribunal ["NCLT"] and evidently an Interim Resolution Professional (IRP) has already been appointed.

4. Suffice to state that there is a long history of disputes amongst the stakeholders involved in the matter. The only relief which is being sought in the instant petition is that there are two long pending applications bearing IA No. 5285/2020 and IVN.P-14/2020 in



Company Petition No. (I.B) 755/2018 moved on behalf of the land owner, for consideration.

5. It is submitted by learned counsel for the petitioners that there are 1197 homebuyers involved and although the matter has come up for hearing as many as 29 times before the NCLT, the said applications have not been heard and yet to be disposed resulting in irreparable prejudice to the petitioners.

6. This Court is conscious of the fact that there is a heavy pendency of cases before the learned NCLT. It would not be prudent or appropriate to give any directions to the NCLT to consider and decide the applications in a time bound manner. Thus, this Court leaves it to the discretion of the learned Judges of the NCLT to consider and decide the applications as expeditiously as possible in the interest of justice.

7. The present writ petition is disposed of accordingly.

DHARMESH SHARMA, J.

FEBRUARY 1, 2024

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