

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSCIVIL APPEAL Diary No(s). 47949/2023

(Arising out of impugned final judgment and order dated 06-10-2023 in CAAT(I) No. 897/2023 passed by the National Company Law Appellate Tribunal)

SURENDER SINGH

Appellant(s)

VERSUS

M/S SARE GURUGRAM PVT LTD & ORS.

Respondent(s)

(FOR ADMISSION and IA No.92716/2024-STAY APPLICATION and IA No.92717/2024-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Date : 03-05-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE DIPANKAR DATTA

For Appellant(s) Ms. Priyanjali Singh, AOR

For Respondent(s) Mr. Milind Garg, Adv.
Ms. Nikita Garg, Adv.
Mr. Atulika Ghawana, Adv.
Mr. Suvidutt M.s., AOR

Mrs. Vanita Bhargava, Adv.
Mr. Ajay Bhargava, Adv.
Mrs. Wamika Trehan, Adv.
Ms. Raddhika Khanna Tandon, Adv.
Mr. Siddhant Kumar, Adv.

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

Delay in refiling is condoned.

Issue notice and tag with Civil Appeal No. 918/2024 titled
"Rakesh Arora & Anr. v. M/s Sare Gurugram Pvt. Ltd. & Ors."

Notice will be served by all modes, including *dasti*.

In the meanwhile, interim order dated 11.12.2023 passed in Civil Appeal No.7943 of 2023 titled "*Mithilesh Devi & Ors. vs. Asset Care and Reconstruction Enterprises Ltd. & Ors.*" will operate in the present case. Accordingly, third-party rights will not be created with respect to persons who have made payments for the flats or are in possession of the apartments. Further, the flat buyers in possession will not be dispossessed.

We clarify that the interim order is both with regard to the flat buyers in possession, as well as, those who had made payments for the flats/apartments.

(BABITA PANDEY)
COURT MASTER (SH)

(R.S. NARAYANAN)
ASSISTANT REGISTRAR