

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI

COURT-V
(Division Bench)

Item No.-101
IB-1051/ND/2019
New RA/79/2025



IN THE MATTER OF:

Anand Prakash Soni and Ors.

....Applicant

Vs.

M/s. Hector Realty Ventures Pvt. Ltd.

.....Respondent

SECTION

U/s 7 IBC

Order delivered on 09.09.2025

CORAM:

SHRI MAHENDRA KHANDELWAL,
HON'BLE MEMBER (JUDICIAL)

Ms. ANU JAGMOHAN SINGH,
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant : Mr. Varun Gupta, Mr. Bilal Ali, Advs.

For the Respondent :

HYBRID HEARING (PHYSICAL & VC)

ORDER

New RA/79/2025:-

This is an application filed under Rule 11 of the NCLT Rules, 2016 read with Section 60 (5) of the IBC, 2016 on behalf of the Homebuyer for seeking restoration of C.P. IB-1051/ND/2019 in view of the judgment dated 20.08.2025, passed by Hon'ble NCLAT in Company Appeal (AT) (Ins.) No. 1545 of 2024. A further direction for appointment of a new Resolution Professional has also been sought.

Heard the submissions made by Mr. Varun Gupta, Proxy Counsel on behalf of Applicant. The Hon'ble NCLAT vide their judgment dated 20.08.2025 has already directed to restore the C.P. IB-1051/ND/2019. On receiving the copy of the judgment from the registry of the Hon'ble NCLAT,

an administrative instruction has already been issued for listing the said C.P. IB-1051/ND/2019. The Hon'ble NCLAT had also directed the parties to appear before this Adjudicating Authority on 26.08.2025.



In view of the order passed by Hon'ble NCLAT, C.P. IB-1051/ND/2019 has already been restored. The Resolution Professional is directed to file the Progress Report within a period of 10 days.

A prayer has also been made to appoint one Mr. Jagdish Kumar, as Resolution Professional. While admitting the CIRP, a Resolution Professional was already appointed by this Adjudicating Authority and the Hon'ble NCLAT has not passed any direction for replacement of the Resolution Professional. Section 27 of the IBC, 2016 provides the procedure for replacement of RP by the CoC. Any action for replacement of the RP is to be taken by the CoC while following the procedure prescribed under Section 27 of the Code. Therefore, at this stage, on the basis of application filed by the Applicant, no order for replacement of RP or appointment of new RP can be passed. Parties may follow the procedure laid down under Section 27 of the Code for replacement of RP. With these observations, the present IA i.e. New RA/79/2025 is **disposed of**.

List the main matter on **19.09.2025**.

In the meantime, RP is directed to file their report.

Sd/-
(ANU JAGMOHAN SINGH)
MEMBER (T)

Sd/-
(MAHENDRA KHANDELWAL)
MEMBER (J)