

**IN THE COURT OF ADJUDICATING OFFICER,  
REAL ESTATE REGULATORY AUTHORITY(RERA), BIHAR, PATNA**

**RERA/CC/395/2019  
RERA/AO/86/2019**

Sri Vijay Kumar, s/o Sri Sanjay Prasad,  
r/o Bahari Begumpur, Beldari Tola,  
P.S- By Pass, P.O. Begampur, Patna-  
800009.

... Complainant

Versus

1. M/s Soho Infrastructure Pvt. Ltd.,  
204, Debut Mansion Apartment,  
Pandooi House, Tarkeshwar Path,  
Boring Road Chauraha, Patna-  
800001.

2. Sri Awadesh Kumar Singh,  
Authorised Representative,  
M/s Soho Infrastructure Pvt. Ltd.,  
r/o Soho Badri Narayan, Vijai  
Nagar, Near Raj Utsav Hall,  
Hanuman Nagar, Kankarbagh,  
Patna.

... Respondents

**Present:**

**Sri Ved Prakash  
Adjudicating Officer**

**Appearance:**

For Complainant	- Mr. Sharad Shekhar, Advocate
For Respondents	- Mr. Sanjai Sinha, Advocate

**ORDER**

12-02-2020

On 08-11-2019 a petition has been filed on behalf of the Respondents that since Corporate Insolvency Resolution Process against Respondents has been started by Hon'ble Adjudicating Authority, Principal Bench, New Delhi, hence, enquiry of this case may be kept in abeyance till completion of process against them.

2. On other hand, the learned lawyer for the complainant by filing rejoinder has submitted that Real Estate (Regulation and Development) Act, 2016 (hereinafter referred as the "Act, 2016) has an overriding effect on any other law, so this Court has authority to protect and secure the interest of the allottees including the complainant, hence, the enquiry may be done and the Respondents may be directed to execute Sale Deed and to provide delivery of possession of flat no.204 in Block-A of the Respondents project "SOHO BADRI NARAYAN ENCLAVE".

12-02-2020  
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3. It appears that the Respondent Company has gone in Corporate Insolvency Resolution Process as per order dated 30-09-2019 passed by the Hon'ble Adjudicating Authority, National Company Law Tribunal (NCLT) Principal Bench, New Delhi through Case No.C.P.(IB) No.415(PB)/2019 – M/s Unimax International Vs. M/s Soho Infrastructure Pvt. Ltd. It further appears that in above order the Hon'ble Court has passed a Moratorium u/s 14 of the Insolvency and Bankruptcy Act, 2016 and any proceeding against the Respondents has been suspended till the date of completion of Corporate Insolvency Resolution Process. Hence, in view of the above facts and circumstances, in the interest of justice, till the Insolvency Process is going on in NCLT, no order/direction is required to be passed at present. Hence,

the present case is kept in abeyance till finalisation of decision of the NCLT Principal Bench, New Delhi.

4. Therefore, in light of the above observation, the complainant, if advised, may approach the concerned Hon'ble Court for redressal of his grievance, but at present, no relief can be granted to the complainant by this Court till final conclusion of the said proceeding.

12-02-2020  
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Sd/-  
(Ved Prakash)  
Adjudicating Officer  
12-02-2020