**NCLT Imposes a Ban on Rohtas Projects in Lucknow**

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The National Company Law Tribunal has imposed a ban on Rohtas projects under the Insolvency and Bankruptcy Code 2016 after the complaints filed by certain homebuyers against the real estate developers in Lucknow for delay in providing possession of plots.

The NCLT has also appointed an interim resolution professional (IRP) for the dealing with the matter. Kamal Piyush has been appointed as the interim resolution professional by the Tribunal. The order was passed by K.K. Vohra, member of Tribunal (technical) and R. Vardharajan, member of Tribunal (judicial) of the NCLT bench in New Delhi after complaints filed by Gautam Mullick and four other allottees (homebuyers) for delay in giving possession of plots.

Gautam Mullick, Sachin Gupta, Abhishek Kumar, Ramesh Chandra and Sangeeta Srivastava each had booked plots with Rohtas in the year 2013-15 and had paid a total of Rs. 59.38 lakhs. The plots were bought on the Sultanpur and Rae Bareli roads under Rohtas’ acre scheme.

Under the builder-buyer agreement, the homebuyers were supposed to receive the possession of the plots bought by them within 24 months. But even after 5 years of the agreement, the homebuyers have not been given the possession of their plots. The allottees have said that they had filed many FIRs with the Hazratganj police station. The police confirmed that there was fraud committed by the real estate developers and they are now in jail.

The UP Real Estate Regulatory Authority (UP RERA) had some days back made a developer complete the project by Rohtas in Sultanpur road which was stuck for many days and had 2500 homebuyers. The Secretary of UP RERA said that any order under the IBC would have over riding effects on the orders of any regulatory body.

After an amendment to the IBC the homebuyers have been categorized at par with the financial creditors of the company and can initiate resolution proceedings against the company single handedly.

Thus a stay is automatically put on all the suits against Rohtas both ongoing and pending suit, any transfer to be made and also on the disposing of any off the assets of Rohtas.