

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.5709 OF 2017

(Arising out of S.L.P. (C) No.12376 of 2015)

Niranjan Nimgiri Giri and Another

Appellant(s)

Versus

Ravindra Mohan Killedar and Another

Respondent(s)

O R D E R

Leave granted.

The present appeal, by special leave, is filed against the final order dated 21st January, 2015, passed by the National Consumer Disputes Redressal Commission, New Delhi in Revision Petition No.3256 of 2014.

Heard Mr. Gaurav Agrawal, learned counsel for the appellants and Mr. Amol Nirmalkumar Suryawanshi, learned counsel for the respondent No.1, the complainant before the National Commission.

Having heard learned counsel for the parties, we direct as follows:-

(i) The appellants, the husband and the wife, shall complete the flat, purchased by the respondent No.1 from the nephew of the appellants, the Power of Attorney Holder of the appellants, by 31st December, 2017.

(ii) The flat shall be completed keeping in view the terms and conditions postulated in the agreement.

(iii) The respondent No.1 shall pay a sum of Rs.1,50,000/- (Rupees one lakh fifty thousand only) to the appellants on the date of handing over of the possession of the flat. The amount of Rs.7,00,000/- (Rupees seven lakhs only) that has been deposited before the Registry of this Court along with the accrued interest, be refunded to the appellant No.1 on proper identification.

(iv) The transfer of the flat shall be undertaken keeping in view the terms and conditions in the agreement.

(v) The amount of costs that has been awarded shall be paid to the respondent No.1.

(vi) If the flat is not completed and handed over to the respondent No.1 within the time stipulated herein-above, the appellant shall be liable for contempt of this Court.

The appeal is disposed of accordingly. There shall be no order as to costs.

.....J.
[Dipak Misra]

.....J.
[A.M. Khanwilkar]

New Delhi
April 28, 2017.

ITEM NO.38

COURT NO.2

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No.12376/2015

(Arising out of impugned final judgment and order dated 21/01/2015 in RP No. 3256/2014 passed by the National Consumers Disputes Redressal Commission, New Delhi)

NITRANJAN NIMGIRI GIRI AND ANR.

Petitioner(s)

VERSUS

RAVINDRA MOHAN KILLEDAR AND ANR.

Respondent(s)

(With interim relief and office report)

Date : 28/04/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE A.M. KHANWILKAR

For Petitioner(s)

Mr. Gaurav Agrawal, AOR

For Respondent(s)

Mr. Amol Nirmalkumar Suryawanshi, AOR

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

Leave granted.

The appeal is disposed of in terms of the signed order.

(Chetan Kumar)
Court Master

(H.S. Parasher)
Court Master

(Signed order is placed on the file)