

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL DIARY NO.13068 OF 2019

FANTASY BUILDWELL PVT. LTD

APPELLANT(S)

VERSUS

BIMLA DALMIA & ANR.

RESPONDENT(S)

O R D E R

Delay condoned.

Heard learned counsel for the parties.

We see no reason to interfere with the impugned order dated 28.06.2018 passed by the National Consumer Disputes Redressal Commission. The Civil Appeal is dismissed.

The appellant has undertaken to refund the amount of Rs.1,62,14,398 (Rupees One Crore Sixty-Two Lacs Fourteen Thousand Three Hundred Ninety-Eight) paid by the Respondent-Complainant in a period of six months from today. The appellant undertakes to pay interest at the rate of 10% p.a. from the date of this order till the date of refund.

The present order has been passed in the peculiar facts and circumstances of the case.

Pending applications, if any, shall stand disposed of.

.....J.  
(INDU MALHOTRA)

.....J.  
(AJAY RASTOGI)

NEW DELHI  
NOVEMBER 08, 2019

**REVISED**

ITEM NO.8

COURT NO.17

SECTION XVII-A

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

**CIVIL APPEAL Diary No.13068/2019**

(Arising out of impugned final judgment and order dated 28-06-2018 in CC No. 2113/2016 25-10-2018 in RA No. 362/2018 passed by the National Consumers Disputes Redressal Commission, New Delhi)

FANTASY BUILDWELL PVT. LTD

Petitioner(s)

VERSUS

BIMLA DALMIA &amp; ANR.

Respondent(s)

( IA No.153003/2019-CONDONATION OF DELAY IN FILING and IA No.153011/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.153009/2019-STAY APPLICATION and IA No.153005/2019-CONDONATION OF DELAY IN REFILING )

Date : 08-11-2019 This petition was called on for hearing today.

CORAM : HON'BLE MS. JUSTICE INDU MALHOTRA  
HON'BLE MR. JUSTICE AJAY RASTOGI

For Petitioner(s) Ms. Meenakshi Arora, Sr. Adv.  
Mr. Harish Pandey, AOR  
Mr. Anshuman Tiwari, Adv.

For Respondent(s) Mr. Vaibhav Gaggar, Adv.  
Ms. Sumedha Dang, Adv.  
Mr. Tushar Singh, AOR

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

Delay condoned.

Heard learned counsel for the parties.

The Civil Appeal is dismissed in terms of signed order.

Pending applications, if any, shall stand disposed of.

(RACHNA)  
SENIOR PERSONAL ASSISTANT

(BEENA JOLLY)  
BRANCH OFFICER

(Signed order is placed on the file)

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COURT NO.17

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Petitioner(s)

VERSUS

BIMLA DALMIA &amp; ANR.

Respondent(s)

( IA No.153003/2019-CONDONATION OF DELAY IN FILING and IA No.153011/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.153009/2019-STAY APPLICATION and IA No.153005/2019-CONDONATION OF DELAY IN REFILING )

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For Respondent(s) Mr. Vaibhav Gaggar, Adv.  
Ms. Sumedha Dang, Adv.  
Mr. Tushar Singh, AOR

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

Delay condoned.

Heard learned counsel for the parties.

We see no reason to interfere with the impugned order dated 28.06.2018 passed by the National Consumer Disputes Redressal Commission. The Civil Appeal is dismissed.

The petitioner has undertaken to refund the amount of Rs.1,62,14,398 (Rupees One Crore Sixty-Two Lacs Fourteen Thousand Three Hundred Ninety-Eight) paid by the Respondent-Complainant in a period of six months from today. The petitioner has prayed for a

period of six months to refund the amount. The petitioner undertakes to pay interest at the rate of 10% p.a. from the date of this order till payment.

In the peculiar facts and circumstances of the case, the Order has been passed in the present Civil Appeal.

Pending application, if any, shall stand disposed of.

(RACHNA)  
SENIOR PERSONAL ASSISTANT

(BEENA JOLLY)  
BRANCH OFFICER