

ITEM NO.30 + 55

COURT NO.11

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(s). 11290/2019

(Arising out of impugned final judgment and order dated 25-03-2019 in FA No. 423/2017 passed by the National Consumers Disputes Redressal Commission, New Delhi)

M/S SKYLINE CONSTRUCTIONS AND HOUSING PVT. LTD. Petitioner(s)

VERSUS

KARE ELECTRONICS AND DEVELOPMENT PVT. LTD. & ORS. Respondent(s)

(FOR ADMISSION and I.R. and IA No.73309/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

WITH

SLP(C) NO. 11851/2019
FOR ADMISSION AND I.R. AND I.A. NO. 76656/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT.

SLP(C) NO. 11928-11933/2019
FOR ADMISSION AND I.R. AND I.A. NO. 77181/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT.

Date : 08-05-2019 These petitions were called on for hearing today.

CORAM : HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE HEMANT GUPTA

For Petitioner(s) Mr. Devadatt Kamat, Sr. Adv.
Mr. Nishanth Patil, AOR
Ms. Sneha R. Iyer, Adv.
Mr. Rajesh Inamdar, Adv.
Mr. Aditya Bhat, Adv.

For Respondent(s) Mr. Sahil Sethi, Adv.
Ms. Nikita Sharma, Adv.

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

Issue notice.

Mr. Devadatt Kamat, learned senior counsel appearing on behalf of the petitioner(s) states that within a period of two months from today, the developer will be able to secure the occupancy certificate for the flats which are under agreements of sale to the flat purchasers.

Mr. Sahil Sethi, learned counsel appearing on behalf of twenty flat purchasers states that immediately on the receipt of the occupation certificate and the completion of the apartments in terms of the individual flat purchasers' agreements the flat purchasers shall join with the developer in executing the requisite deeds of conveyance or, as the case may be, sale deeds in respect of the allotted apartments in terms of the order passed by the NCDRC.

The flat purchasers at the time of the execution of the conveyance deeds shall simultaneously pay over to the developer the balance of the sale consideration that is due to the developer under the respective flat agreements. However, the compensation which has to be paid by the developer to the flat purchasers in terms of the order passed by the SCDRC as upheld by the NCDRC shall be set off against the balance of the sale consideration.

List the matters on 19 July 2019 when the Court shall be apprised of the steps which have been taken to effectuate the above directions.

Tag Diary No. 2071 of 2019 along with these matters.

(ASHWANI KUMAR)
COURT MASTER (SH)

(SAROJ KUMARI GAUR)
BRANCH OFFICER