

ITEM NO.3                      Court 6 (Video Conferencing)                      SECTION XVII-A

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).11978/2020

(Arising out of impugned final judgment and order dated 23-10-2019 in RP No. 3290/2013 passed by the National Consumer Disputes Redressal Commission, New Delhi)

YOGESH NANDLAL HEDA

Petitioner(s)

VERSUS

M/S SUBAL CONSTRUCTION & ORS.

Respondent(s)

(WITH I.R. and IA No.33501/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 14-10-2020 This petition was called on for hearing today.

CORAM :    HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
                  HON'BLE MS. JUSTICE INDIRA BANERJEE

For Petitioner(s)    Mr. Rajiv Shankar Dvivedi, AOR

For Respondent(s)    Mr. Anish R. Shah, AOR  
                                  Dr. Vidhya Wakale, Adv.

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

- 1        Concurrent findings of fact have been arrived at by the District Forum, the State Consumer Disputes Redressal Commission and the National Consumer Disputes Redressal Commission in regard to the ineligibility of the petitioner for being allotted a flat for the economically weaker sections. The finding of fact that no affidavit was submitted by the petitioner does not call for interference. However, the respondent has been directed to refund the monies paid with interest at 7% per annum. In the facts of this case and with due regard to the fact that monies have been deposited several years ago, we direct that the refund which has been ordered to the petitioner shall be at an enhanced rate of interest of 12% per annum. The impugned order shall stand modified to the

above extent.

2 Subject to the aforesaid, the Special Leave Petition stands disposed of.

3 Pending application stands disposed of.

**(SANJAY KUMAR-I)**  
**AR-CUM-PS**

**(SAROJ KUMARI GAUR)**  
**COURT MASTER**